

URBAN/MUNICIPAL
CA 4 ON HBL AOS
A31
1993

AGENDAS OF THE MEETING
OF THE CITY OF HAMILTON

OCTOBER 26, 1993

URBAN/MUNICIPAL
CA4 ON HBL AOS
A31
1993



MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1993 October 26
7:30 o'clock p.m.
Council Chambers, City Hall

URBAN M. J. J.

OCT 1993

S. Hollowell
Acting City Clerk
GOVERNMENT DOCUMENTS

AGENDA

1. *National Anthem*

2. *Opening Prayer*

Reverend Alan MacPherson
Central Presbyterian Church

3. *Certificates of Appreciation*

(a) *Debra Vivian and David Dayler*

(b) *Carmen Nemeth and Cheryl York*

(c) *Greg Bartolotta, Manager, Beaver Lumber, Hamilton Mountain*

(d) *Jake den Hollander, Manager, Beaver Lumber, Hamilton West*

(e) *Enzo Bonitatibus, Manager, Beaver Lumber, Hamilton East*

4. *Proclamations*

- (a) *"Schizophrenia Awareness Month" - 1993 October*
- (b) *"International Lupus Awareness Month" - 1993 October*
- (c) *"United Nations Week" and "Disarmament Week" - 1993 October 24th-31st.*

5. *Minutes*

- (a) *1993 September 28*
- (b) *1993 October 5 (Special Meeting)*

6. *Petitions and Correspondence*

7. *Reports of the Standing Committees*

- (a) *Transport and Environment Committee*
- (b) *Parks and Recreation Committee*
- (c) *Planning and Development Committee*
- (f) *Mayor's Report*
- (h) *Finance and Administration Committee*

8. *Notices of Motion for Next Meeting*

9. *First Reading of the Bills*

10. *Second Reading of the Bills - Committee of the Whole*

11. *Third Reading of the Bills*

12. *Question Period*

13. *Adjournment.*

MINUTES

1993 September 28

Minutes of Hamilton City Council
1993 September 28
7:30 o'clock p.m.
Council Chamber

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,
Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The Council meeting commenced with the playing of the National Anthem.

* * * * *

Father Mike Myroniuk, Holy Family Roman Catholic Church led Council in prayer.

* * * * *

Mayor R. M. Morrow introduced a delegation of officials from the City of Fukuyama, Japan, Hamilton's twin city.

* * * * *

Mayor R. M. Morrow apprised Council on his declaration of the State of Emergency for the cleanup of the chemicals discovered at the abandoned laboratory at 363 Wellington Street North. He explained that in accordance with the Emergency Plan Act, he had notified the Solicitor General that he was removing the Declaration of an Emergency.

* * * * *

Mayor R. M. Morrow proclaimed the following:

- (a) Ontario Home Week - September 26th to October 2nd, 1993
- (b) Waste Reduction Week - October 4th, 1993
- (c) Celiac Week - October 3rd to 9th, 1993

* * * * *

The minutes of the regular meeting held 1993 August 31 and the minutes of the special meeting held 1993 September 21 were adopted as circulated.

<p style="text-align: center;">CORRESPONDENCE</p>
--

1. Application dated 1993 September 16 from Ned Janjic and Gerda Kugler, Dundas, Ontario for a further modification to the established "H" (Community Shopping and Commercial, etc.) District regulations for property located at Nos. 295-303 York Blvd., Hamilton, Ontario.

Received.

2. Letter dated 1993 September 27 from Mr. F. Zahed requesting reconsideration of his appeal for reinstatement on the Taxi Cab Priority List which is recommended for denial in the Fourth Report of the Licensing Committee.

Received.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Finance and Administration Committee and the Nominating Committee be now considered in Committee of the Whole with Alderman Drury in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - TWELFTH REPORT

PARKS AND RECREATION COMMITTEE - SIXTEENTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - FOURTEENTH REPORT

Section 10 Re: Zoning Application 93-20 - M. Trikas for property located at 952-954 Cannon St.

It was moved by Alderman Eisenberger and seconded by Alderman D'Amico that Section 10 of the Fourteenth Report of the Planning and Development Committee for 1993 be amended by deleting the words:

from sub-section (d) ii. - "a video store" and
from sub-section (d) iii. - "a restaurant or refreshment room"
and by renumbering (d) iii. to (d) iv. and (d) iv. to (d) v. in order to add a new section (d) iii. as follows:

"(d) iii. Notwithstanding section 13D(1)(B)(iv) a restaurant or refreshment room without dancing or other entertainment except music shall be permitted within the existing building only, with a maximum seating capacity of 25 seats".

CARRIED.

LICENSING COMMITTEE - FOURTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE - EIGHTEENTH REPORT

Section 1 Re: Amendment to By-law 84-191 to permit the keeping of Vietnamese Pot Bellied Pigs as domestic pets

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Anderson, D'Amico. -11.

NAYS: Aldermen Wilson, Jackson, Merling, Ross. -4. **CARRIED.**

* * * * *

Section 20 Re: Conducting Halloween activities on Saturday instead of Sunday for 1993

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Jackson, Merling, Anderson, Ross. - 10.

NAYS: Aldermen Agro, Copps, Wilson, Agostino, Eisenberger, D'Amico. -6.
CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - NINETEENTH REPORT

NOMINATING COMMITTEE - THIRD REPORT

ACTING MAYOR

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman B. Charters be appointed Acting Mayor for the month of October, 1993. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Finance and Administration Committee, and the Nominating Committee be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-69, A-70, A-71, A-72, A-73, A-74, A-75, A-76.

C-73.

H-54, H-55.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0. **CARRIED.**

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Drury in the chair. (second reading).

A-69, A-70, A-71, A-72, A-73, A-74, A-75, A-76.
C-73.
H-54, H-55.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-69, A-70, A-71, A-72, A-73, A-74, A-75, A-76.
C-73.
H-54, H-55.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

1993 September 28

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-69, A-70, A-71, A-72, A-73, A-74, A-75, A-76.

C-73.

H-54, H-55.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:50 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1993 September 28

1993 October 5

Special Meeting of City Council

1993 October 5

7:00 o'clock p.m.

Room 233, City Hall

The Council met.

Present: Acting Mayor Charters
Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino,
Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross.

Absent: Mayor Morrow - Civic Business
Alderman W. McCulloch - Another Commitment

The purpose of this special meeting of City Council was to reconsider Council's decision of 1993 September 28 respecting the date of Halloween.

RECONSIDERATION OF RESOLUTION

Conducting Halloween activities on Saturday instead of Sunday

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 20 of the Eighteenth Report of the Finance and Administration Committee for 1993 which read as follows, be reconsidered:

"20. That in keeping with past tradition, the Citizens of Hamilton be encouraged to conduct their Halloween activities on Saturday, October 30, 1993".

Recorded vote to reconsider resolution.

YEAS: Aldermen Cooke, Agro, Drury, Morelli, Copps, Wilson, Agostino,
Eisenberger, Jackson, D'Amico. -10.

NAYS: Acting Mayor Charters, Aldermen Merling, Anderson. -3. **CARRIED.**

* * * * *

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 20 of the Eighteenth Report of the Finance and Administration Committee for 1993 be amended to read as follows:

"20. That the citizens of Hamilton be encouraged to conduct their Halloween activities on Sunday, October 31, 1993."

Recorded vote on amended resolution

YEAS: Aldermen Cooke, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, D'Amico. -9.

NAYS: Acting Mayor Charters, Aldermen Jackson, Merling, Anderson, Ross. -5.
CARRIED.

RESOLUTION

Cancellation of regular meeting - October 12, 1993

It was moved by Alderman Drury and seconded by Alderman Morelli that the regular meeting of City Council scheduled for Tuesday, October 12, 1993 be cancelled on the understanding that, if necessary, a Special Meeting of Council will be arranged at the call of the Chair.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: -0. **CARRIED.**

ADOPTION OF BILLS

It was moved by Alderman Cooke and seconded by Alderman Morelli that Bill No. H-56 be now read a first time.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Cooke, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. - 14.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Morelli that Bill H-56 be now read a second time.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Cooke, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Merling. -1. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Morelli that Bill H-56 be now read a third time, signed, sealed and enrolled as a by-law.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Merling. -1. **CARRIED.**

1993 October 5

* * * * *

City Council then adjourned at 7:10 o'clock p.m.

* * * * *

Taken as read and approved.

Alderman B. Charters, Acting Mayor

John Thompson, Acting Clerk
1993 October 5

CORRESPONDENCE

Correspondence

1. Letter from the City of Burlington dated 1993 October 13 regarding LaSalle Park Pavilion Structural Restoration Project.

Recommendation: **Be Referred to the Parks and Recreation Committee.**

2. Application dated 1993 September 30 from Dr. Anthony Tartaglia, Hamilton, Ontario for removal of the "H" Holding provision from the "H" (Community Shopping and Commercial, etc.) District modified for property at 682 Upper James Street, Hamilton, Ontario.

Recommendation: **Be Received.**

3. Application dated 1993 October 5 from Nicolo Caluori, Ancaster, Ontario for a further modification to the "G" (Neighbourhood Shopping Centre, etc.) District regulations for property located at No. 930 Upper Paradise Road, Hamilton, Ontario.

Recommendation: **Be Received.**

4. Application dated 1993 October 5 from DiCenzo Construction Company Limited, (Antonio DiCenzo, President), Hamilton, Ontario for changes in zoning from "R-4" (Small Lot Single-Family Detached) District to "RT-30" (Street Townhouse) District, modified (Blocks "1" and "4"); "RT-20" (Townhouse Maisonette) District, modified to "R-4" (Small Lot Single-Family Detached) District (Block "2"); and "RT-20" (Townhouse Maisonette) District, modified to "RT-30" (Street Townhouse) District, modified (Block "3"), for lands located west of Upper Gage Avenue and north of Terni Boulevard, Hamilton Ontario.

Recommendation: **Be Received.**

5. Application dated 1993 October 18 from 645437 Ontario Limited, c/o A. Barzilay, Don Mills, Ontario for a further modification to the established "HH" (Restricted Community Shopping and Commercial) District regulations for property located at No. 998 Upper Wentworth, Hamilton, Ontario.

Recommendation: **Be Received.**

6. Application dated 1993 October 19 from P. X. Dermody Funeral Home, Hamilton, Ontario for removal of the "H" - Holding provision from the "H" - "H" (Community Shopping and Commercial etc. Holding) District, modified, for property located at No. 796 Upper Gage Avenue, Hamilton, Ontario.

Recommendation: **Be Received.**

7. Letter dated 1993 October 6 from J. D. Thompson, Acting City Clerk regarding an objection to By-law No. 93-185 respecting property at the rear of 1011 Queenston Road (South of Berkindale Drive). (Previously distributed).

Recommendation: **No Action.**

8. Letter dated 1993 October 6 from J. D. Thompson, Acting City Clerk regarding an objection to By-law 93-190 respecting property at 236-250 Rymal Road West. (Previously distributed).

Recommendation: **No Action.**



The Corporation of the
City of Burlington

City Hall:
426 Brant Street, Burlington, Ontario, Canada
Mailing Address:
P.O. Box 5013, Burlington, Ontario, Canada L7R 3Z6

Telephone: (905) 335-7749
Fax No.: (905) 335-7881

October 13, 1993

Mr. J. J. Schatz
City Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Schatz:

SUBJECT: La Salle Park Pavilion Structural Restoration Project
File: 570-02-123/175

The Council of the Corporation of the City of Burlington at its regular meeting held on October 12, 1993 enacted the following resolution being Item No. CC-310-93:

THAT the funding strategy summarized in Appendix 6 of Parks and Recreation Report PR-44/93, dated August 26, 1993 pertaining to the La Salle Park Pavilion Structural Restoration Project be endorsed;

and that the La Salle Park Pavilion Fundraising Committee assist the City by raising funds to off set the balance of the project cost and to make an application to the Community Heritage Fund for a grant and loan;

and that Council authorize the Director of Parks and Recreation to call tenders for the structural improvements to the pavilion;

and that Parks and Recreation Report PR-44/93, dated August 26, 1993 be forwarded to the City of Hamilton for information only;

and that the Director of Parks and Recreation report to Council on the results of the tender call.

In accordance with the above Council Resolution, I have enclosed a copy of Parks and Recreation Report PR-44/93.

Staff of the City's Parks and Recreation Department will be forwarding the final plans for the structural restoration for the LaSalle Pavilion to Mr. D.W. Vyce, the Director of Property for the City of Hamilton. It would be appreciated if you could arrange with Mr. Vyce for Hamilton City Council to consider the necessary staff report approving the proposed structural repairs by the end of November, 1993.

1

OFFICE OF THE CITY CLERK	
OCT 20 1993	
REC. BY <i>[Signature]</i>	DATE
REF'D. TO	DATE
REF'D. TO <i>J.D.T.</i>	DATE
REF'D. TO	DATE
ACTION: <i>F.V.A.</i>	

Burlington staff intend to call tenders for the structural repairs on November 10, 1993, with the final date for submission of tenders to be November 24, 1993. A report recommending the award of tender will be submitted to the Community and Corporate Services Committee on December 8, 1993 and Council on December 13, 1993. In order to have these important structural repairs begin in January of next year we are requesting that, if possible, the plans for the structural repairs be approved by Hamilton City Council by the end of November.

Further, the City of Burlington has been advised by the Ministry of Culture and Communications that the grant for these repairs is conditional upon a heritage easement being granted by the City of Hamilton to the City of Burlington. It would of assistance to this project if the matter of the heritage easement could be addressed by Hamilton City Council at the same time that they consider the report concerning the structural repairs to the LaSalle Pavilion.

If you have any questions concerning the above resolution or the contents of the enclosed report, please contact Mr. Jim Seferiades of the Parks and Recreation Department at 335-7785.

Yours truly,



Helen MacRae
EXECUTIVE DIRECTOR, INFORMATION
SERVICES, AND CITY CLERK

LB/jm

Enclosure

3873-ZCL1(10/11)

cc: Mr. D. W. Vyce, Director of Property, City of Hamilton, 71 Main Street West,
Hamilton, Ontario, L8N 3T4
Mayor Walter Mulkewich
Alderman Rob MacIsaac
Mr. J. Olmstead, Director of Parks and Recreation
Mr. Tony Dojcak, Assistant Director of Parks
Mr. J. Seferiades, Parks and Recreation Department
Mr. J. Hollick, Engineering Department

CITY OF BURLINGTON
CC - 310 - 93

REPORT PR 44/93

August 26, 1993

The Chairman and Members
of the Community and Corporate Services Committee

Subject: La Salle Park Pavilion Restoration Project
File: 570-02-123/175

RECOMMENDATION:

THAT the funding strategy summarized in Appendix 6 of Report PR 44/93 pertaining to the La Salle Park Pavilion Structural Restoration Project be endorsed;

and that the La Salle Park Pavilion Fundraising Committee consider assisting the City by raising funds to off set the balance of the project cost and to make an application to the Community Heritage Fund for a grant and loan;

and that Council authorize the Director of Parks and Recreation to call tenders for the structural improvements to the pavilion;

and that Report PR 44/93 be forwarded to the City of Hamilton for information only;

and that the Director of Parks and Recreation report to Council on the results of the tender call.

REPORT:

PURPOSE:

The purpose of this report is:

1. To update Council on the status of the La Salle Park Pavilion Restoration Project.
2. To report on funding and financial matters related to this project as this is an outstanding Council item.
3. To request authorization to call tenders for the necessary structural improvements.

BACKGROUND:

The subject pavilion is located on the south side of North Shore Boulevard and east of La Salle Park Drive within the grounds of La Salle Park as shown on Appendix 1. La Salle Park is owned by the City of Hamilton and leased to the City of Burlington for a nominal fee of \$1.00 per year. This 40 year lease agreement was established in March 1985, however it was deemed effective January 1, 1983. Under the terms and conditions of the lease, the City of Burlington is responsible for maintaining, operating, programming and managing La Salle Park and all facilities within the grounds including the pavilion. Also by agreement, any major capital improvements valued greater than \$25,000 require approval from the City of Hamilton.

The La Salle Park Pavilion, which is the subject of this report, was designated as having architectural and historical value under the Ontario Heritage Act by Burlington City Council in August 1989 (By-law 95-1989). Attached as Appendix 2 is the Official Property Designation Form which outlines the basis of the designation. Staff, Council and L.A.C.A.C. recognized that this designation would make the building eligible for heritage restoration funding.

PROJECT SCOPE AND METHODOLOGY:

Following designation, the Parks and Recreation Department set out to restore the pavilion to a more acceptable level for community use, as signs of structural mechanical and architectural/surface deterioration were becoming apparent.

The Department envisioned refurbishing the pavilion completely in two phases primarily for financial reasons. Phase 1 was aimed at restoring the structural integrity of the building in order to permit safe public use of the main floor (which consists of an open picnic shelter, handicap washrooms, a concession stand and an enclosed storage area) and the basement (which consists of public washrooms and a workshop for park maintenance staff). Phase 2 was aimed at restoring the original architectural features of the pavilion and renovating the second floor which consists of a dance hall, stage, washrooms and cloakrooms.

The Department proceeded with Phase 1 since the building's structural integrity was in question. Phase 2, the architectural heritage component of the project, was left as an option, subject to funding availability.

PROJECT STATUS:

The firm of Philips Planning and Engineering Limited was retained in July 1991 to address Phase 1 of the Project- Structural Improvements. The consultant's responsibilities included a structural review of the pavilion, preparation of the design and construction documents, and inspection of the construction work.

In October 1991, Philips Planning and Engineering Limited submitted a structural report which included a full structural assessment of the building, construction recommendations, and preliminary cost estimates. The report concluded that the pavilion structure was in a serious state of disrepair and was unsafe for public use. The most serious concern was that of the main floor slab and the supporting beam system which was found to have deteriorated considerably.

Accordingly, the Parks & Recreation Department in consultation with the Building and Engineering Departments closed the pavilion on October 18, 1991. Protective hoarding was installed around the pavilion to prevent public access. City of Hamilton Officials inspected the pavilion shortly thereafter and expressed their concurrence with the consultant's structural findings and with the City's decision to close the building.

Staff reported on the consultant's structural review and made the following recommendation under Item Number CC-56-92 (Report PR 7/92) which was enacted by Council at its meeting on March 9, 1992:

"THAT the structural report for the La Salle Pavilion dated October 4, 1991 prepared by Philips Planning and Engineering be received;

and that the Consultant's proposed structural and restoration improvements be deferred pending a staff report on funding and financial matters;

and that the Parks and Recreation Department investigate funding sources and submit grant applications relevant to Option 3 as outlined in Report PR 7/92, dated January 31, 1992;

and that the pavilion be closed for public use and access;

and that Philips Planning and Engineering be retained to review the condition of the pavilion every 3 months and report to staff;

and that the Consultant's fee be charged to Account #114-0500-3790, funded from the Park Dedication Reserve Fund;

and that Report PR 7/92, dated, January 31, 1992 be forwarded to the City of Hamilton for consideration;

and that Mayor Mulkewich, Alderman Greenaway and Alderman MacIsaac form a Committee to review funding sources for the restoration of the pavilion."

REPORT NO. PR 44/93 (Page 4)

Pertaining to the above resolution, staff have: investigated funding sources and submitted grant applications for the proposed structural restoration; kept the building closed to the public; and monitored the condition of the building on a quarterly basis. Also, a fundraising committee has been formed and is now in the process of setting funding targets and developing a fundraising strategy. Given the above work that has been carried out to date, staff are now in a position to discuss funding matters in a following section of this report, thus satisfying Paragraph 2 of the above resolution.

PROPOSED STRUCTURAL IMPROVEMENTS:

At the time this report was being written, Philips Planning & Engineering Limited was finalizing the design for the structural improvements and preparing the working drawings and construction documents for the tender package. The main work for Phase I includes: demolition of the existing suspended main floor slab and replacement with a new slab that will sit on grade in the centre section of the building and be suspended over the basement workshop area at the east end and the basement washrooms in the west end; reinforcements to the roof structure and second floor system; and mechanical and electrical upgrades to improve the appearance and operating conditions of the basement washroom facilities, the workshop and the concession stand. The preliminary cost estimate for these remedial structural, mechanical and electrical improvements is \$530,000 (1992 dollars). A more detailed outline of the work that is required and a breakdown of the cost estimate is attached as Appendix 3.

It should be noted that Frank Burcher Architect was retained to provide the consulting engineer with advice and guidance to ensure that the architectural and heritage features of the pavilion are respected in the structural design.

ARCHITECTURAL FEASIBILITY STUDY:

As part of his responsibility, Mr. Frank Burcher has recently completed an architectural feasibility study which addresses future renovations to the pavilion's first and second floors, treatment of significant architectural and historical features and the overall functionality of the building. Mr. Burcher's proposal is based on re-establishing banquet/theatre uses on the second floor and reinstating a fast food facility/cafe on the main floor. A more detailed outline and floor plans of Frank Burcher's Phase 2 Architectural Restoration Proposal is attached as Appendix 4. The preliminary cost estimate for this work is \$937,400 which includes taxes but not furniture/accessories and architectural design services. The design services for the Phase 2 - Architectural Restoration Work would cost roughly \$100,000. In addition, staff suggest that approximately \$130,000 would be required for basic site improvements to accompany the complete restoration of the pavilion.

REPORT NO. PR 44/93 (Page 5)

Notwithstanding Mr. Burcher's Study, staff are of the opinion that Phase 1 - Structural Improvements is viable without a commitment to the Phase 2 - Architectural Restoration at this time. The Phase 1 work would re-open the much needed public washrooms and picnic shelter area, improve the parks staff workshop, allow for storage in certain areas of the building, reinstate the concession stand, and allow special events/programs that have traditionally taken place at this facility to occur again.

FUNDING:

The Parks and Recreation Department has \$328,282 designated for the restoration of the pavilion under three capital accounts. There is \$99,961 available in the La Salle Pavilion Construction Account #114-0710, \$18,321 available in the La Salle Pavilion Study Account #114-0500 and \$210,000 in the La Salle Pavilion Account #114-2450 (all accounts funded by the P.D.R.F).

As indicated previously, the estimated cost of the structural improvements is \$530,000 (1992 dollars). Staff suggest that the 1993 construction value would be approximately \$540,600 considering a 2% increase for inflation.

In addition to the construction costs, the firm of Philips Planning and Engineering Limited is under contract with the City to perform the consulting services required which include design, preparation of construction documents and construction review for a flat fee of \$39,600 and \$2,772 for G.S.T. for a total of \$42,372. The consultant has already charged the City \$15,488 (includes G.S.T.) for services already completed and as such a sum of \$26,884 (includes G.S.T) remains outstanding for the balance of the consulting services. There is also a commitment of \$5,318 (includes G.S.T.) for Mr. Frank Burcher's architectural consulting services and feasibility study. The building permit for this project will cost \$5,136 based on \$9.50 per \$1,000 of construction value. Staff suggest that perhaps another \$10,000 be allowed for disbursements and staff costs.

The total cost estimate for the project taking into account construction costs, the remaining consulting services, the building permit fee and an allowance for disbursements is \$587,938. The estimated project cost requiring financing, net of the City's G.S.T. rebate is \$566,156.

Recently, the Province announced a grant of \$189,750 under the jobsOntario Community Action Program, which represent roughly 1/3 of the cost of the project (Appendix 5). This grant combined with the City's money on-hand totals \$518,032. There is also a possibility that a \$15,000 grant could be awarded from the Community Heritage Fund, thus bringing the total available financing up to \$533,032 which represents a shortfall of \$33,124 (\$33,000 rounded).

This \$33,000 balance could be accommodated by a loan from the Community Heritage Fund subject to approval from L.A.C.A.C. This loan could eventually be paid off by monies collected through the La Salle Park Pavilion Fundraising Campaign which is currently underway and under the guidance of Mayor Mulkewich and Alderman Mac Isaac.

In the event that tender bids are higher than anticipated, the loan amount and the fundraising target will increase or alternatively, the Director of Parks and Recreation will make arrangements to designate additional monies in the 1994 Capital Budget to cover the extra cost. Appendix 6 provides a summary of the project costs and proposed financing.

STAFF COMMENTS:

A condition of the jobsOntario grant is that the grant money be expended by the end of the Province's current fiscal year (March 31, 1994) and that the project be commenced within 120 days of the grant approval.

Therefore, given these conditions, and the community's enthusiasm for the project (which is evident in the public fundraising initiative) staff recommend that the project be commenced. Specifically, staff request authorization to call tenders for the structural improvements upon the completion of all drawings and construction documents by Philips Planning & Engineering Limited. Further, staff request the assistance of the Fundraising Committee in raising funds to off set the balance of the project cost and to make the necessary applications to the Community Heritage Fund for a grant and loan.

CONCLUSION:

Staff request authorization to call tenders for the structural improvements to the La Salle Park Pavilion. These improvements will make the pavilion structurally sound and will allow public use to occur on the main floor and basement areas. Further, this work will respect the heritage qualities of the structure and will allow for any future architectural renovations (i.e. second floor, grand staircase, etc.) should this option be elected in the future.

Hamilton City Council granted preliminary approval of the project subject to the final detailed plans, drawings and other documentation being received and approved. Staff intend to report to both the Hamilton and Burlington City Councils with the results of the tender call and to gain final approval for the project.

Staff have demonstrated the funding strategy and are satisfied that this project is ready to move ahead.

Respectfully submitted,

Jim Seferiades

James D. Seferiades
Parks Planner

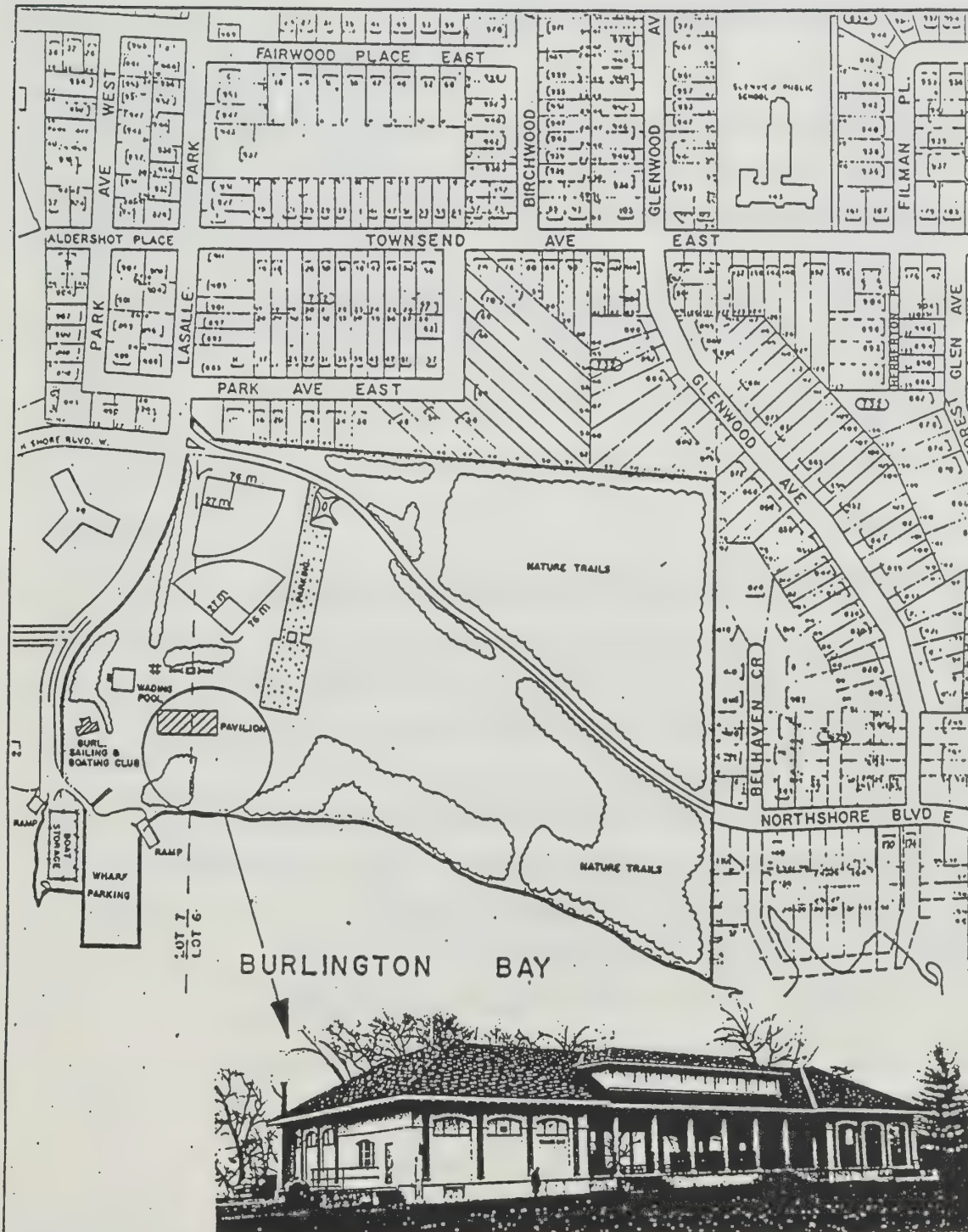
James E. Olmstead

James E. Olmstead
Director of Parks & Recreation

3055

APPROVED	
Ex. Dir.	Date
<i>[Signature]</i>	<i>Sept 16/93</i>
C/Manager	Date
<i>[Signature]</i>	<i>Sept 20/93</i>

CC - 310 - 93



PARKS AND RECREATION DEPARTMENT - CITY OF BURLINGTON

DATE —

MARCH, 1978
 DEC. , 1978
 JAN. , 1983
 JAN. , 1990

LA SALLE PARK

PART OF LOTS 6 & 7, BROKEN FRONT CONCESSION. FORMERLY TWP. OF
 EAST FLAMBOROUGH, NOW, CITY OF BURLINGTON, REGION OF HALTON.

SCALE — 1cm. = 50 m.

HECTARES — 23.07

AUTHORIZATION/CONSENT TO DESIGNATE PROPERTY PURSUANT
TO THE ONTARIO HERITAGE ACT, R.S.O. 1980,
CHAPTER 337 (as amended).

PROPERTY: LaSALLE PARK PAVILION
North Shore Blvd.
Burlington, Ontario

1. I/WE The Corporation of the City of Hamilton
(Name)
71 Main Street West
Hamilton, Ontario L8N 3T4
(Address)

as owner(s) of the above-noted property do hereby consent to the designation of the said property pursuant to the Ontario Heritage Act, R.S.O. 1980; Chapter 337 (as amended) as property having architectural and/or historical significance in the City of Burlington.

2. THAT I/we are aware of the implications stated in the Ontario Heritage Act, R.S.O. 1980, Chapter 337 (as amended).
3. THAT the following statement for the "Reason for Designation" is hereby approved.

REASON FOR DESIGNATION:

The Local Architectural Conservation Advisory Committee at its meeting held 1988 September 26 agreed that the La Salle Park Pavilion was worthy of designation.

The Pavilion, built on 1917 March 24, was a combination dancing pavilion and picnic area which is a rarity for Hamilton park structures. Most structures, apart from the gage Park Bandshell, usually serve as service buildings incorporating changing facilities, showers and lockers.

La Salle Park, formerly Wabasso Park was purchased for \$52,673.00 in 1913 from Mr. P. W. Brown.

The site of La Salle Park is supposed to be the landing point for Sieur de La Salle, an early explorer. A memorial stone commemorating this event was erected on 1922 July 17 and Wabasso Park was renamed La Salle Park in 1926.

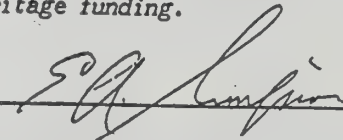
In 1928, the management of the Park was turned over to Mr. Maurice L. Smith on a ten-year lease on which to operate an amusement park.

The main architectural features are its rectangular dimensions with a verandah set between two arcaded pavilions (one open and one which was formerly glazed and is now closed) which are decorated with pilasters. The central dormer has a mansard roof and formerly had five bays with three six-paned casement windows in each bay (these windows are no longer in place but have been bricked over).

LACAC feels that this building is worthy of designations and once designated, the building becomes eligible for heritage funding.

Date: February 23, 1989

(Signatures)



FOR OFFICE USE ONLY:

APPLICATION FOR DESIGNATION INITIATED BY

OWNER(S)

LACAC ☐

OTHER ☐

LA SALLE PARK PAVILIONStructural Renovations (Option 3)
Construction Cost Estimate Summary

<u>Item</u>	<u>Estimated Cost</u>
Demolition of main level slab	\$111,080.00
Removal/Disposal of rubble	8,640.00
Temporary bracing of columns	10,000.00
Excavation for new footings	400.00
New retaining walls and footings	13,510.00
Backfill under slab-on-grade	20,500.00
New Concrete Slab-on-grade	16,315.00
New concrete suspended slab	44,655.00
New block walls (main and lower levels)	14,005.00
New timber framing (replacement)	9,400.00
Second floor and roof repairs	37,200.00
Painting	5,000.00
Electrical	22,500.00
Mechanical	30,500.00
Allowances	47,000.00
Sub-total	<u>\$390,705.00</u>
10% Profit	39,070.50
10% Overhead	42,977.55
7% Goods & Service Tax	33,092.71
TOTAL (1991 Value)	<u>\$505,845.76</u>
5% INFLATION	25,292.29
TOTAL (1992 VALUE)	<u>\$531,138.05</u>
Rounded	\$530,000.00

SUMMARY OF FRANK BURCHER'S PHASE 2 - ARCHITECTURAL RENOVATIONS

Frank Burcher's proposal for re-adaptive use of this facility includes the following renovation work which would constitute Phase 2 of the overall project.

First Floor

1. Reinstate the grand staircase.
2. Install an elevator to the west of the grand staircase for handicap access to the second floor.
3. Enclose the grand staircase and elevator lobby area for access control to the second floor.
4. Relocate the main floor barrier free washrooms adjacent to the proposed elevator shaft.
5. Construct a fast food facility in the former enclosed dining area at the east end of the building. This facility would have a seating area for inside dining and a concession stand for take out orders. A dumb waiter would connect this facility with a servery on the second floor for banquet situations.
6. Reconstruct ramp on the south side of the building.
7. Reinstate exterior architectural features and finishes.

Second Floor

8. Reinstate the dance hall area and stage to support the banquet/reception, dinner theatre and conference/seminar uses. Refurbish all architectural finishes in these areas. Suggested capacities range between 300 persons for dinning/dinner theatre to a maximum of 480 persons for a lecture or conference event.
9. Redesign second floor washrooms to accommodate greater volume of use and install the required number of fixtures based on maximum occupancy load.
10. Redesign the usable roof space behind the stage to include dressing rooms and washrooms for performers, closet space, room for mechanical equipment and a servery (small kitchen for food preparation) for banquet functions.

11. Construct a second exit stairway at the southeast corner of the second floor to satisfy building code requirements and to enhance accessibility and circulation within the building. This stairway would go down to the basement.
12. Relocate coat rooms on the second floor.

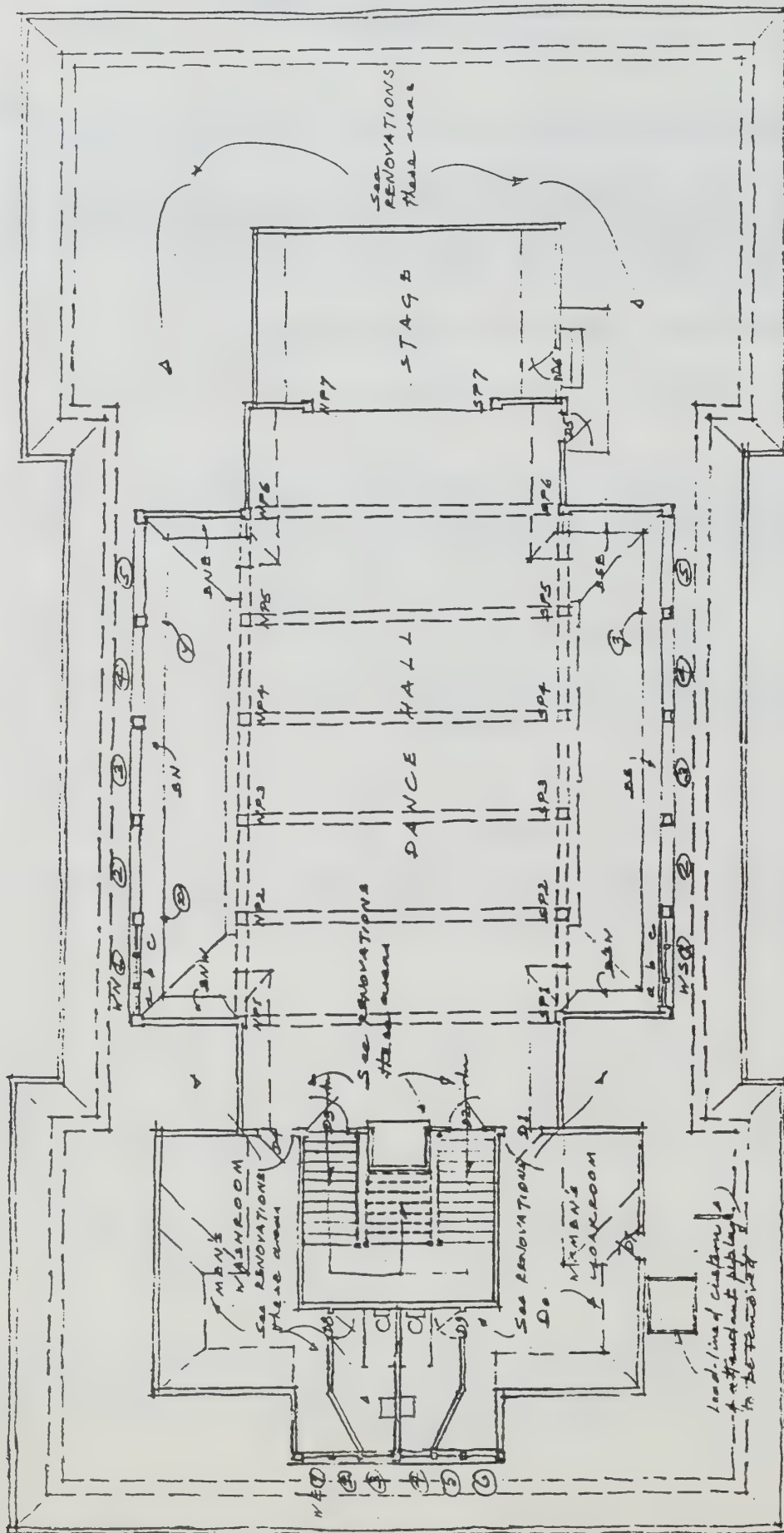
Basement

13. Increase workshop area (Result of Phase 1 work which involves constructing new structural load bearing walls which would effectively increase the workshop area)
14. Create additional usable floor space in the basement by excavating the existing crawl space area. (Optional)
15. Extend elevator down to the basement and create additional handicap washrooms (Optional).

Floor plans of the existing building layout and proposed floor layouts are attached as Figures 1 - 5.

This summarizes Frank Burcher's proposal for a fully refurbished and usable heritage facility . The cost estimate for the proposed Phase 2 renovations would be \$937,400, which includes taxes but not design services.

JS:er

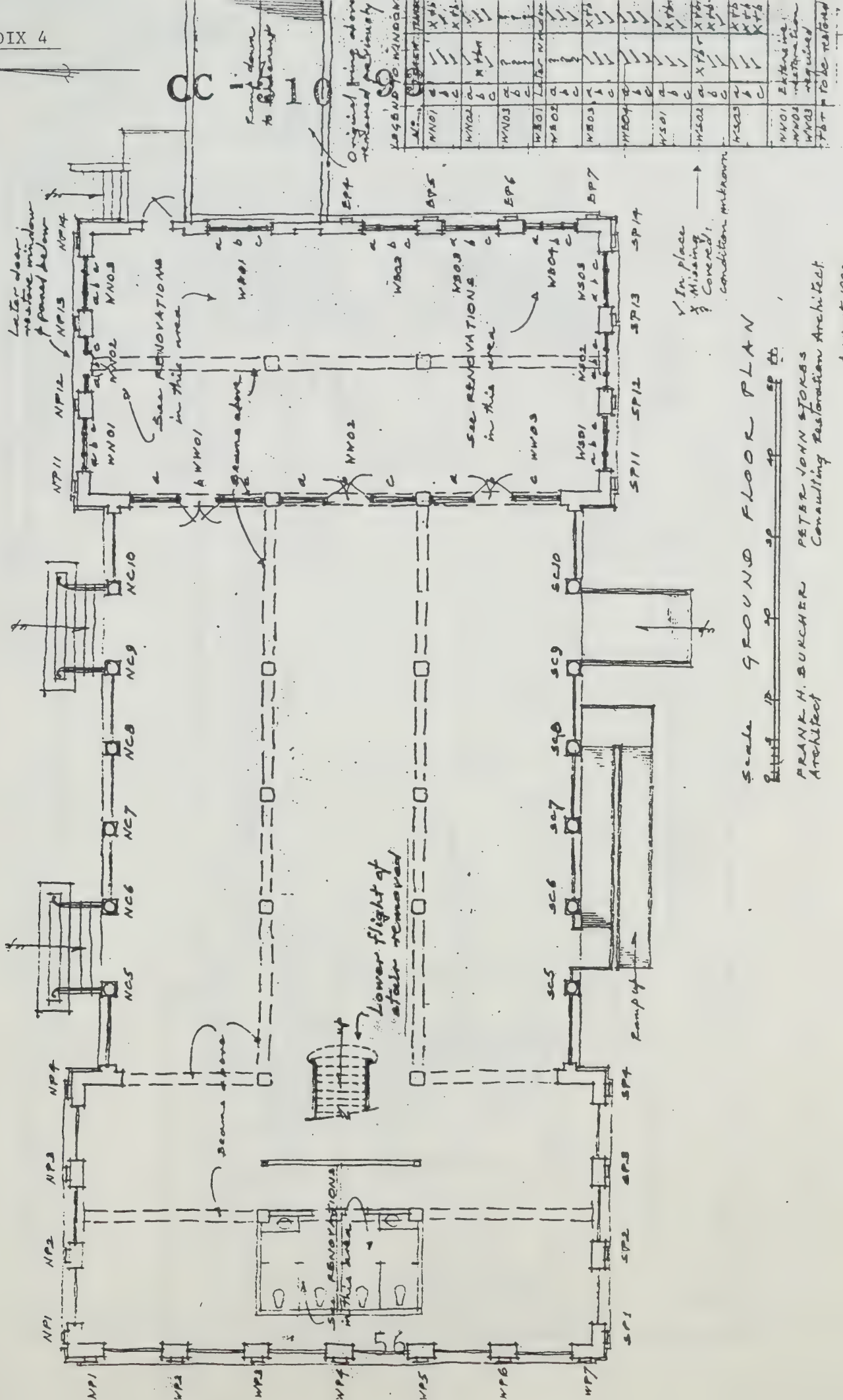


Scale SECOND FLOOR PLAN.
 1" = 10' 0" 1" = 10' 0" 1" = 10' 0"

FRANK H. BURCHER Architect
 PETER JOHN STOKES
 Consulting Restoration Architect

August 1993

LA SALLE PAVILION FIGURE 2.



Scale GROUND FLOOR PLAN

1" = 20'

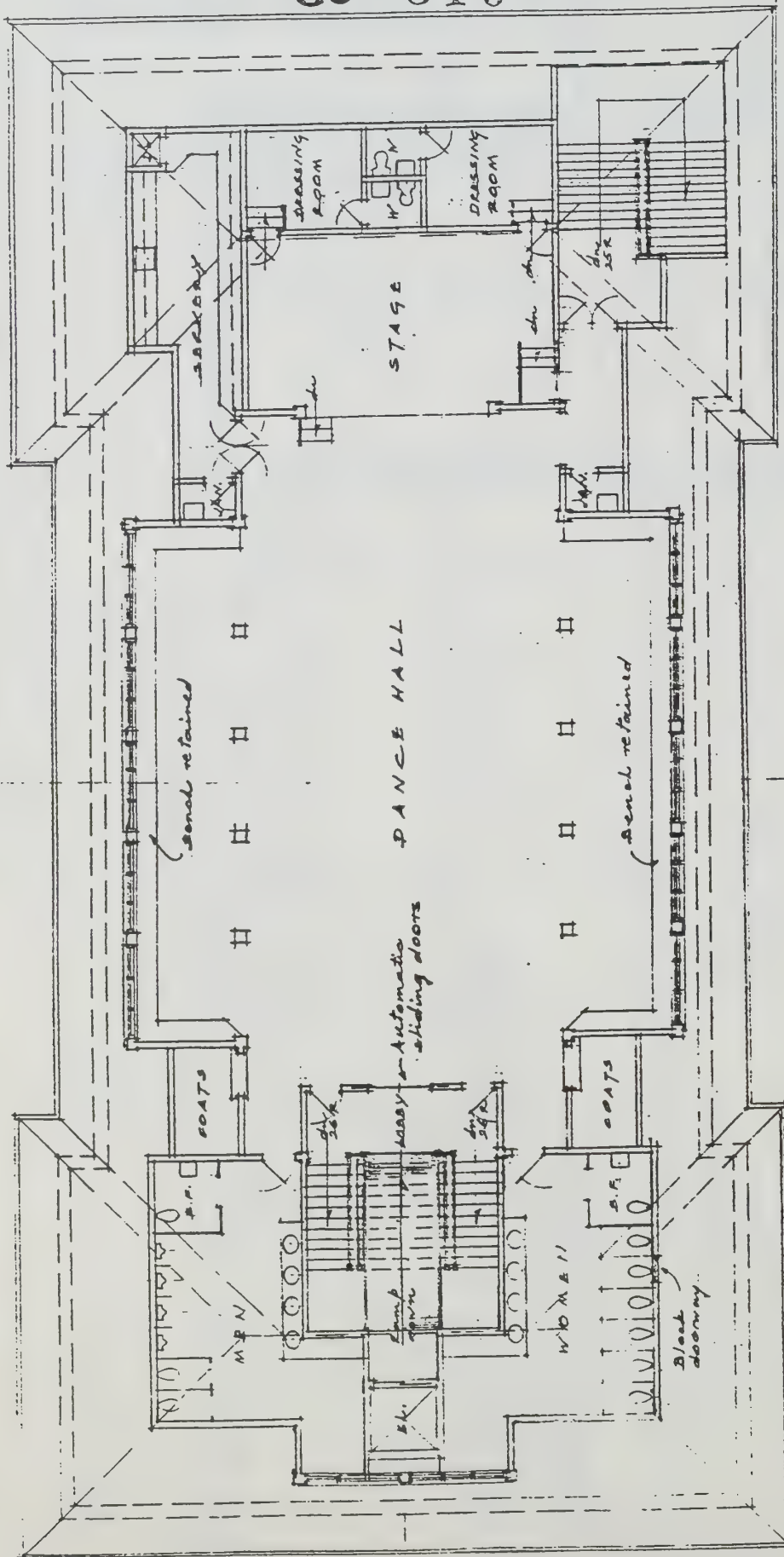
FRANK H. BURCHER
Architect

PETER JOHN STOKES
Consulting Restoration Architect

August 1993

LA SALLE PAVILION : PROPOSED LAYOUT

FIGURE 3.



SECOND FLOOR PLAN

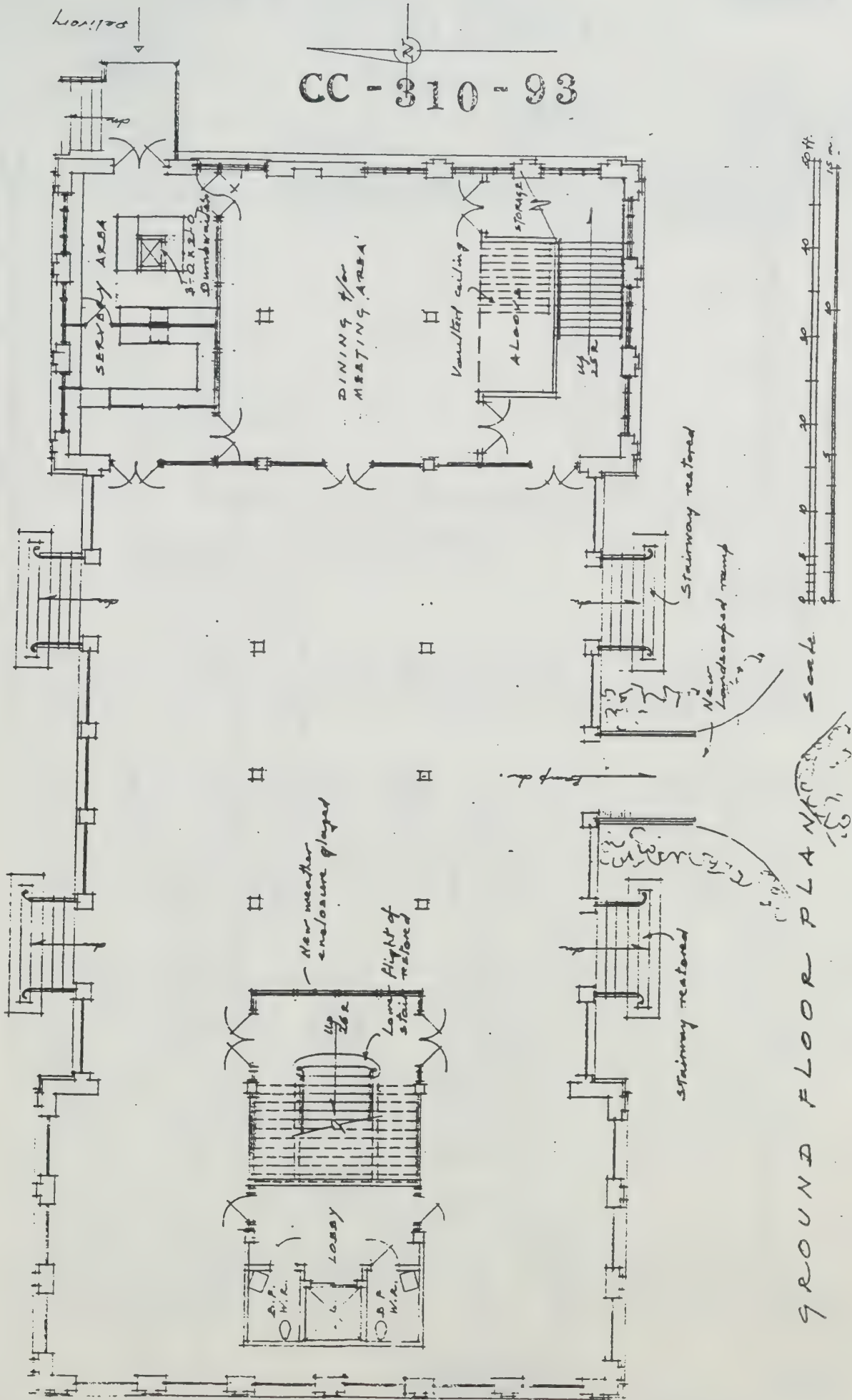
scale



FRANK H. BURCHER
Architect
PETER VONN STOKES
Consulting Restoration Architect
August 1993

LA SALLE PAVILION : PROPOSED LAYOUT

FIGURE 4.



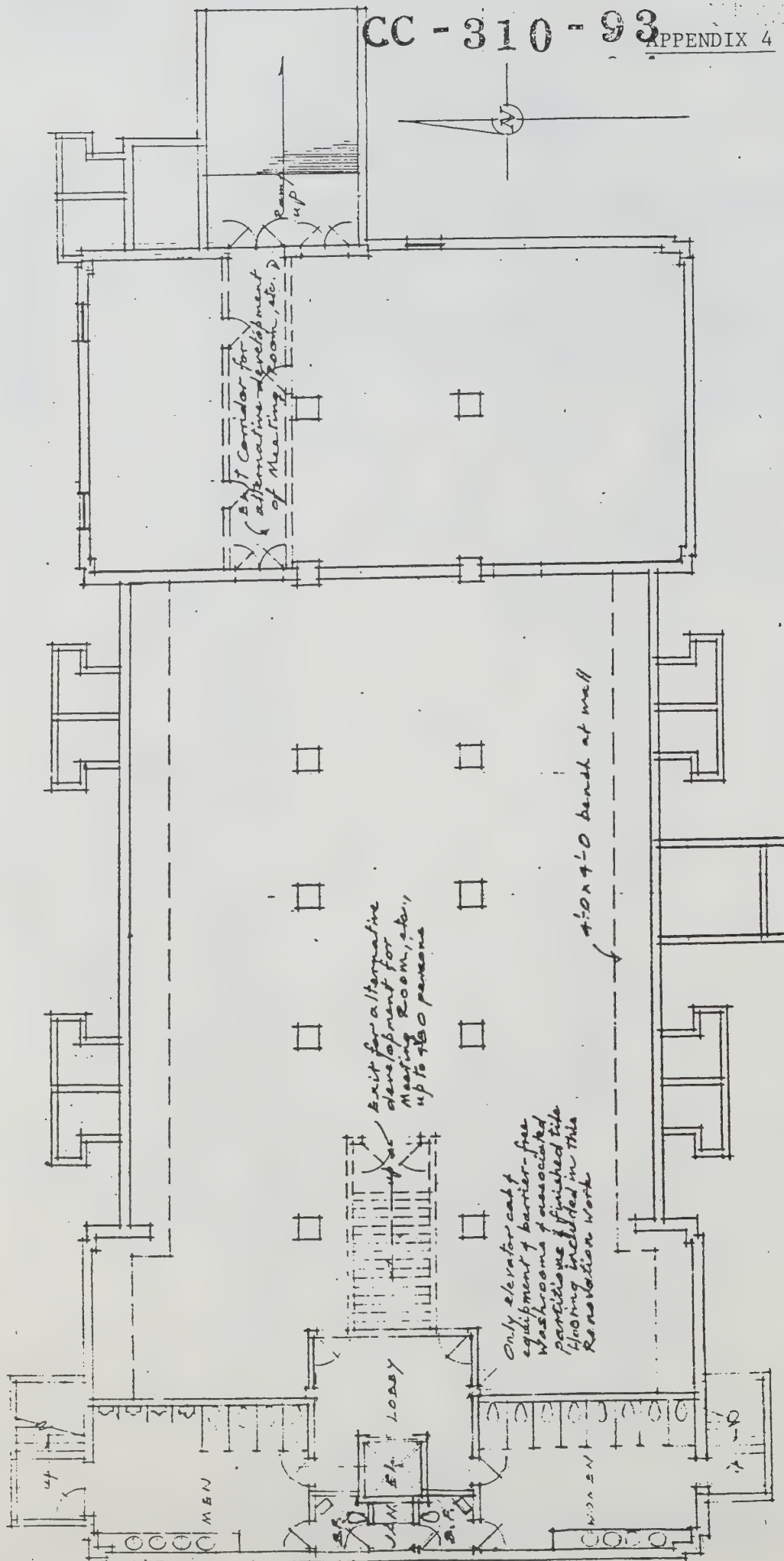
FRANK H. BURCHER
Architect

PETER JOHN STOKES
Consulting Restoration Architect

August 1993

LA SALLE PAVILION : PROPOSED LAYOUT

FIGURE 5.



CC - 310 - 93 APPENDIX 4

BASMENT FLOOR PLAN

Scale 1/8" = 1'-0" 1" = 12'-0" 1 1/2" = 18'-0" 2" = 24'-0"

FRANK H. BURCHER Architect
 PETER JOHN STOKES Consulting Restoration Architect
 August 1993

CC - 310 - 93



Ontario

Minister
MinistreMinistry of
Culture, Tourism
and RecreationMinistère de la
Culture, du Tourisme
et des Loisirsc: J. Olmstead
T. Dobbie

6th Floor	Debbie Hoshko
77 Bloor Street West	T. Dojeak
Toronto, Ontario	Toronto (Ontario)
M7A 2R9	M7A 2R9
(416) 325-6200	(416) 325-6200

August 6, 1993

Mr. Ross Stephen
Manager
City of Burlington
426 Brant Street
P.O. Box 5013
Burlington, Ontario
L7R 3Z6

Re: jobsOntario Community Action
Lasalle Park Pavilion

Dear Mr. Stephen:

Thank you for your interest and application which was submitted previously to the Ministry of Culture, Tourism and Recreation under the Community Recreation Capital program.

As you may know, this program is one of several programs that were consolidated into jobsOntario Community Action. In fiscal year 1993-94 a special allocation of \$31 million within jobsOntario Community Action was established to address pending projects under earlier programs. Your application has been considered under this special transition year funding.

Transition year capital projects were evaluated on a number of criteria including the economic benefits of the project to the community. A key requirement for transition year projects is that they are able to get under way within 120 days, with the Provincial contribution expended by **March 31, 1994**. Thus an eligible project would need to have all the necessary approvals and community funding in place. Also, the demand for Provincial funding for these projects was greater than the available supply of dollars.

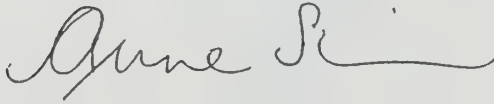
Your proposal and those submitted by others have now been reviewed through an interministerial review process. I am pleased to inform you that your application has been approved. Through the Community Capital component of jobsOntario Community Action, your organization is eligible for a grant of \$189,750.

.../2

Page 2

The details and procedures for payment of the grant and reporting requirements will be provided by the Ministry's local consultant responsible for your project.

Yours sincerely,



Anne Swarbrick
Minister

cc: Cam Jackson, MPP
Burlington South

APPENDIX 6

LASALLE PARK PAVILLION – PHASE 1 (STRUCTURAL RENOVATIONS, OPTION 3)
ESTIMATED PROJECT COSTS AND FINANCING

ESTIMATED PROJECT EXPENDITURES

Renovations – Estimated 1993 Cost including GST	\$540,600
Other Costs (including GST)	
– Balance of Consulting Services	\$26,884
– Balance of Architectural Services	\$5,318
– Building Permit	\$5,136
– Disbursements	\$10,000
TOTAL ESTIMATED PROJECT COST	\$587,938
less GST rebate	(\$21,782)
NET PROJECT COST	\$566,156

PROPOSED PROJECT FINANCING

Uncommitted Funds available in Capital WIP Accounts	(\$328,282)
Grant – jobsOntario Community Action Program	(\$189,750)
Grant – Community Heritage Fund	(\$15,000)
Subtotal Available Financing	(\$533,032)
Shortfall *	\$33,124

* Subject to confirmation of final costs as per the construction tenders, the suggested financing of the shortfall is a loan from the Community Heritage Fund to be repaid with Interest through fundraising activities carried out by the Lasalle Park Pavilion Fundraising Campaign (Loan subject to approval by LACAC).

CC-310-93

61 (a)

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **THIRTEENTH** Report for 1993 and respectfully recommends:

1. (a) That a "No Parking" regulation be implemented on the north side of Salmond Court commencing at Upper Ottawa Street and extending to a point 124 feet westerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
2. (a) That the existing "Permit Parking" regulation on the south side of Jackson Street West between Queen Street South and Ray Street South be revised, such that the regulation commences 122 feet west of Queen Street South and extends to Ray Street South; and
(b) That a "Three Hour Parking Time Limit, 24 hours/day, seven days a week" regulation be implemented on the south side of Jackson Street West commencing at Queen Street South and extending to a point 122 feet westerly therefrom; and
(c) That the City Traffic By-law 89-72 be amended accordingly.
3. (a) That a "One Hour Parking Time Limit, 8:00 a.m to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of McElroy Road West between Upper James Street and West 2nd Street; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
4. (a) That an "Alternate Side Parking" regulation and a "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Cloverhill Road between Brantdale Avenue and Gateview Drive, such that parking is prohibited:
 - on the east side of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and
 - on the west side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

5. (a) That a "Permit Parking" regulation be implemented on the west side of Strathearne Avenue commencing at a point 183 feet south of the north end of the street and extending to a point 28 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Laurie Schiestel, No. 391 Strathearne Avenue; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.
6. (a) That a "No Stopping Wheelchair Loading Zone, 10:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Park Row North commencing at a point 84 feet north of Roxborough Avenue and extending to a point 19 feet northerly therefrom; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
7. (a) That a "Permit Parking" regulation be implemented on the east of Garfield Avenue North, commencing at the north end and extending to a point 22 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Natale Labate, 40 Garfield Avenue North; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.
8. (a) That a "Permit Parking" regulation be implemented on the east side of Leeming Street commencing at a point 31 feet north of Cannon Street East and extending to a point 18 feet northerly therefrom; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
9. (a) That the existing "Permit Parking" regulation on the west side of Ray Street North commencing at a point 75 feet south of York Boulevard and extending to a point 20 feet southerly therefrom be removed; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
10. (a) That the existing "No Stopping, Wheelchair Loading Only, 10:00 a.m. to 9:00 p.m., Monday to Friday" regulation on the south side of South Bend Road East commencing at a point 280 feet east of East 16th Street and extending to a point 36 feet easterly therefrom be revised such that it will be in effect from 8:00 a.m. to 9:00 p.m., Monday to Friday; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

11. (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Queensdale Avenue East commencing at a point 33 feet west of the west curb line of Nancy Street and extending to a point 120 feet westerly therefrom be extended a further 40 feet westerly; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
12. (a) That a "No Stopping" regulation be implemented on the west side of Lower Horning Road commencing at Whitney Avenue and extending to a point 71 feet southerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
13. (a) That the existing hours of the School Crossing Guard at the intersection of Crockett Street and Upper Gage Avenue be extended to include the lunch time school crossing periods; and
(b) That the extended times be considered to be on a trial basis until the end of 1993.
14. That the School Crossing Guard service be discontinued during the lunch hour period at the signalized intersection of Barton Street East and Nash Road.
15. (a) That the following streets be designated as snow routes:
 - Eva Street between Rymal Road and Eaglewood Drive
 - Eaglewood Drive between Eva Street and Eleanor Avenue
(b) That the City Traffic By-law 89-72 be amended accordingly.
16. (a) That a four-way stop control be implemented at the intersection of Brucedale Avenue East and East 25th Street; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
17. (a) That a four-way stop control be implemented at the intersection of Brucedale Avenue East and East 8th Street; and
(b) That the City Traffic By-law 89-72 be amended accordingly.

18. (a) That the portion of Section 44 of the Eighth Report of the Transport and Environment Committee for 1993 adopted by City Council on 1993 June 29, which refers to the approval of engineering schedules for "Allison Estates - Phase 1", Hamilton be deleted.
- (b) i. That the submitted schedule of works be adopted for inclusion in the subdivision agreement with the Owners for the estimated cost of services in:

"ALLISON ESTATES - PHASE 1", Hamilton

City's Share - \$186,454.94, Owner's Share - \$292,573.06

- ii. That the Mayor and City Clerk be authorized and directed to execute the proposed subdivision agreement with the owners of "Allison Estates - Phase 1", Hamilton as well as any other related documents for this development, subject to the approval of the City Solicitor.
- iii. That approval of the above noted clauses be subject to the condition that no work be commenced until the final plan and subdivision agreement has been registered.
- iv. That in the event the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement, they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for Pre-Servicing.
- v. That the City's share of services in "Allison Estates - Phase 1", Hamilton (\$43,710.79) be approved and that the Finance and Administration Committee recommend the source of funding for this project.
19. (a) That the following City land be incorporated into the street in order to provide access to newly registered subdivision developments:
- | | | |
|--------------|--------|----------------|
| Dalcar Court | Part 6 | Plan 62R-12332 |
|--------------|--------|----------------|
- (b) That the by-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

20. (a) i. That the following provisions be approved and completed of the Agreement by Owner To Accept Compensation, made by Albert Boxinbaum, on 1993 August 31, and scheduled to close on or before 1993 November 24, for land expropriated on 1989 September 25 for highway purposes, having a frontage of 40.234 metres (132 feet) along the easterly limit of Upper James comprising an area of .463 hectares (1.145 acres) (described as Parts 1 to 8 on Expropriation Plan No. 9535). This settlement includes final compensation at \$645,039.90; professional fees and disbursements (inclusive of G.S.T.) at \$31,559.56; plus 6% interest on unpaid compensation from 1989 September 25 to date of closing. (\$557,189.90 of the said compensation has already been paid to the former owner on 1990 October 4).
- ii. That the closing of the said expropriation settlement be conditional upon closing the purchase of adjacent land fronting on Upper James from Albert Boxinbaum authorized below. The Option to Purchase such land and the settlement of the said expropriation are to be accepted by Council concurrently and both property transactions are to be finalized contemporaneously.
- iii. That it is also understood and agreed,
- that a One Foot Reserve shall be located by the City along the easterly limit of the land expropriated (Part 7, Expropriation Plan No. 9535) and along the easterly limit of the land being purchased by the City (the westerly 180.245 metres (591.35 feet) more or less, of Part 14, Plan 62R-9741).
- that Albert Boxinbaum, (his heirs, executors and administrators, successors, agents, and assigns) be granted a right-of-way over the southerly 10 feet of Parts 1,7 and 8, Expropriation Plan No. 9535 for access to link his remaining rear land with Upper James Street until Parts 1, 7 and 8 are part of the highway or until the owner of the remaining rear land pays its share of costs to remove the said one foot reserve, whichever occurs first.
- (b) i. That an Option to Purchase Agreement, executed by the owner, Albert Boxinbaum, on 1993 August 31, scheduled to close on or before 1993 November 24, for the City's purchase of the remaining frontage of 1477 Upper James described as the westerly 180.245 metres (591.35 feet) more or less, of Part 14, Plan 62R-9741, comprising an approximate area of 0.26 hectares (0.642 acres) more or less, be approved and completed, for a purchase price of \$321,000.
- ii. That the closing of this City purchase be conditional upon closing the said settlement of the expropriation authorized above.

- (c)
 - i. That the City Treasurer recommend the method of financing the said expropriation settlement and the said purchase.
 - ii. That the Mayor and City Clerk be authorized and directed to execute the necessary documents for the settlement and the purchase.
- 21.
 - (a) That the Chairman of the Transport and Environment Committee or his designate be authorized to attend the 1994 Ontario Good Roads Association Annual Conference to take place on 1994 February 20 to February 23, Toronto, Ontario.
 - (b) That costs for attendance be provided from the Aldermen Travel Account No. CH55201 10010 from the 1994 Operating Budget.
- 22.
 - (a) That the appropriate By-law for the closure and sale of a portion of Belview Avenue, being designated as Parts 2 and 3 on Plan 62R-12325, be forwarded to City Council for enactment.
 - (b) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-law.
- 23.
 - (a) That the West Central Region Branch of the Ontario Ministry of the Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to the transfer and storage of PCB waste by the Management Board Secretariat to their Hamilton Psychiatric Hospital PCB storage site; provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional By-laws are complied with fully.
 - (b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the MOEE for their information.
- 24. That Section 39 of the Eleventh report of the Transport and Environment Committee for 1993, respecting the implementation of three-way stop control at the intersection of Cranbrook Drive and Stanlow Crescent, approved by City Council at its meeting of 1993 August 31 be deleted in its entirety and replaced with the following;
 - (a) That three-way stop control be implemented at the intersection of Cranbrook Drive and Greenshire Drive; and
 - (b) That the City Traffic By-law 89-72 be implemented accordingly.

25. (a) That the application of R. A. Edwards, agent for The Hamilton Harbour Commissioners (605 James North, Hamilton L8L 1K1) to install railway spur lines to serve Pier 15, crossing the Northerly Limits of Wentworth Street, Niagara Street and Hillyard Street, be approved, subject to the following conditions:
- i. That the applicant enter into an Encroachment Agreement in a form satisfactory to the Commissioner of Transportation/Environmental Services and the City Solicitor;
 - ii. That the applicant pay a first year fee of \$230. for processing and registration and an annual fee of \$6,742.31;
 - iii. That the applicant's contractor be bonded with the Region of Hamilton-Wentworth and the City of Hamilton to make excavations on City Streets;
 - iv. That the applicant build a structure to protect the existing 15" and 18" sewers on Hillyard Street, satisfactory to the Commissioner of Transportation/Environmental Services;
 - v. That the applicant be responsible for any costs incurred by Hamilton Hydro and/or Bell Canada for relocation of any existing plant;
 - vi. That during operation of the spur lines the applicant provide a flagman for protection of the public during any train movement within the road allowance;
 - vii. That the applicant agree that the traffic flow will not be disrupted by the trains for a period of more than 10 minutes;
 - viii. That the applicant install, repair, maintain and replace all cross bucks, ballasts, steel rails, tie plates, spikes, wood ties and asphalt within the road allowance, at no expense to the City;
- (b) That the Mayor and the City Clerk be authorized to sign and execute all necessary documents to execute this agreement;

1993 October 26

26. That leave be granted to introduce the following Bills:

- (a) Bill A-77 By-law to Incorporate Part 6, Plan 62R-12332 into Dalcar Court
- (b) Bill A-78 By-law to amend By-law 89-72 to Regulate Traffic
- (c) Bill A-79 By-law to amend By-law 89-72 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

K. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1993 October 18

1993 October 26

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SEVENTEENTH** Report for 1993 and respectfully recommends:

1. That permission be granted to "The Cats' Claws", the Tiger Cats Fan Club, to utilize the south west corner of Cannon Street East and Balsam Avenue in front of Brian Timmis Stadium for a "Tiger Cat Walk of Fame" and upcoming events notice board.
2. That the "Action Plan for the Reduction of Illegal Dumping" attached hereto and marked Appendix "A" be endorsed and forwarded to the Regional Municipality of Hamilton-Wentworth for their consideration with the request to implement the recommendations contained therein.
3.
 - (a) That the funding allotment for the Harbourfront Park remediation project be increased from \$9,725,340.00 to \$9,913,960.00 with the additional \$188,620.00 from accrued interest on the \$7,500,000.00 grant from the Ministry of the Environment and Energy and further that any additional accrued interest monies to December 31, 1993 be added to the funding allotment for Harbourfront Park.
 - (b) That the action taken by the Director of Public Works to extend the contract previously awarded to Kelt Contracting Corporation of Grimsby in April, 1993 by the amount of \$149,717.56 including all taxes over and above the original contract amount of \$326,053.10 for the supply and planting of various plant materials at Harbourfront and Pier 4 Parks and funded from the Harbourfront Park Remediation - Stage I Account No. CF5200 419254001 (\$100,000.00) and Harbourfront Park Remediation - Stage II Account No. CF5200 419254003 (\$49,717.56) be approved.
 - (c) That the City Solicitor be requested to prepare amendments to the legal agreement with Kelt Contracting Corporation to incorporate the extension to the scope of work.

1993 October 26

4.
 - (a) That the Director of Public Works be authorized to dismantle the fountain located at Delta Park.
 - (b) That components of the fountain originating from the 1860 Gore Park Fountain be dismantled and retained for future use.
 - (c) That any re-development proposal be submitted to the Parks and Recreation Committee for consideration.
5.
 - (a) That the City of Hamilton participate in the Children's International Games 1994, February 11-13 with representatives from the Hamilton Chedoke Racing Team with costs to the City not to exceed \$6,000.
 - (b) That this recommendation be referred to the Finance and Administration Committee to recommend the method of financing.
6.
 - (a) That the provisional budget for the hosting of the Children's International Games in Hamilton in 1994 be approved by the Parks and Recreation Committee.
 - (b) That the City's contribution of \$114,000. be approved and referred to the Finance and Administration Committee to recommend the method of financing.
7.
 - (a) That the Corporation of the City of Hamilton confirm its interest and capability to host the Canadian Junior Gold Championships at Chedoke Civic Golf Course under the terms and conditions in the bid proposal to the R.C.G.A. in 1988.
 - (b) That the City of Hamilton commit to complying with the by-laws of the Royal Canadian Golf Association using a phased-in approach to membership requirements of the R.C.G.A. and the O.G.A.
8. That the lobby of the Cancer Centre on Concession Street be endorsed by City Council as the preferred location for the statue honouring the late Dr. Cecilioni.
9.
 - (a) That permission be granted to the Director of Culture and Recreation to purchase a large banner with the remaining monies for Fly the Flag for Canada Committee.
 - (b) That permission be granted to the Treasurer to close the Fly the Flag account.

10. (a) That the City Solicitor be directed to prepare a by-law authorizing an exchange of lands between Mount Hamilton Cemetery and Turner Park as detailed on the attached Appendix "B", for execution by City Council.
- (b) That a notice of by-law and details of the land exchange be forwarded to the Ministry of Consumer and Commercial Relations, Cemeteries Division, upon execution.
11. (a) That community groups who receive City support and/or subsidy for facilities, programs, and services, provide to the City of Hamilton, through the Culture and Recreation Department, all financial records, registration lists, membership lists, operating policies and procedures, guidelines or by-laws and any other information pertaining to public activities at the request of the Director.
- (b) That failure of the community group to comply with the above condition will result in:
 - i. The withdrawal of support and/or subsidy for these activities.
 - ii. The community group, in its current structure, will forfeit the recognition of the City of Hamilton.
12. That permission be given of the action taken by the Director of Culture and Recreation for approval to the Molson Restaurant Three-Pitch League to sell beer during the occasion of their Three-Pitch Baseball Game, scheduled at Globe Park, on 1993, September 26, under the terms and conditions which includes the following:
 - (a) The proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the Concessionaire be contacted to make the necessary arrangements for the provision of food.
 - (d) That the applicant assume responsibility for all labour related costs as a result of this event.
 - (e) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.

1993 October 26

13. That approval be given to Dundurn Castle staff to apply for the following applicable archaeology grants:
- (a) Ontario Heritage Foundation - Provincial
 - i. Grant In-Aid-Of Publication
 - ii. Publication Award
 - iii. History Research Grant
 - iv. Archaeology Research Grant
 - (b) Royal Canadian Geographical Society
 - (c) Access to Archaeology Program - Federal
14. That the following artifacts be deaccessioned/disposed of from the Hamilton Military Museum collection and offered to Westfield Heritage Centre or to any other suitable institution.

Single Shot Pistol

- 1976.93.1 Black and white pistol, listed as Spanish or Moroccan tourist item. Ivory inlay in poor condition. Flintlock mechanism not functional.

Muskets and Rifles

- 1979.675.1 European military style percussion lock musket. End of stock broken off, forward barrel band and spring missing, hammer spring broken, stock cracked.

Sporting Rifles and Smoothbores

- 1979.676.1 Small calibre Liege sporting rifle, chequered butt, octagonal barrel, fair condition with considerable rust to metal portions. Barrel permanently plugged.
- 1979.677.1 Short barrelled weapon
- 1979.678.1 U.S. rifle cut down for sporting use. Considerable rust with deterioration to hammer. Nipple and forward lock plate screw missing. Forward end of stock worn away. Long crack either side of stock.
- 1979.684.1 Small calibre Liege sporting rifle, octagonal barrel, fair condition with considerable rust to metal portions.

1993 October 26

- 1979.685.1 Breechloading rifle with chequered stock, cut down for sporting use. In good condition.
- 1979.686.1 U.S. rifle (Providence Tool Co.), cut down for sporting use. Ramrod and two screws missing. One screw misaligned. Barrel not refinished where stock and barrel band removed.
- 1979.866.1 Sporting percussion cap "M. Dixon" with silver escutcheon and pin plate. Wood finish bubbled, stock broken either side along a barrel with one piece missing. Metal support for barrel partially detached. Percussion hammer out of alignment and held with replacement screw.

15. That the 1858 Pattern Long Enfield Rifle (M1983.208.1) be deaccessioned and traded for an 1856 version of the weapon.

RESPECTFULLY SUBMITTED,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 October 19

ACTION PLAN FOR THE REDUCTION OF ILLEGAL DUMPING

Background

City Council directed Public Works staff to meet with affected agencies to address the problem of illegal dumping.

Through a series of workshops involving representatives from various volunteer organizations, Regional and City staff and representatives from the Ministry of Environment and Energy a number of action steps were defined to facilitate discussion and consideration of the illegal dumping problem by Municipal and Regional Councils.

The recommendations proposed via the workshops include:

- 1) That the Regional Municipality of Hamilton-Wentworth establish a formal multi-agency committee to prepare a detailed action plan for the reduction of illegal dumping.
- 2) That the committee be authorized to prepare a public awareness campaign on illegal dumping focusing on:
 - increased community involvement ie: neighbourhood watch, community based policing.
 - better educational programming, increased knowledge of roadside and bulk pick up services.
 - transfer station: hours of operation and fee schedule.
 - identify alternatives for unacceptable material (private industry/building materials).
 - solicitation of media coverage both positive and negative.
- 3) That the committee be authorized to facilitate the co-ordination of the various agencies involved in the enforcement of laws pertaining to illegal dumping focusing on:
 - Programs for prevention.
 - Signage outlining by-laws, fines, increased penalties.
 - Illegal dumping hotline (report a dumper).
 - Increased by-law enforcement (by-law officer).
 - Re-introduction of recycling referral directory for distribution to relative agencies.
- 4) That this committee be authorized to prepare a plan to expedite our present waste removal services focusing on:
 - One stop dumping at the two transfer stations (recyclable bins located within the confines of the transfer station area).
 - Express lines for residential dumping.
 - Make the transfer stations more convenient with greater service to residents.
- 5) That this committee forward a final plan with cost/benefit implications to the appropriate standing committees of Regional and City Council.

1993 October 26

**Illegal Dumping Workshop - June 1, 1993
Attendee List**

Doug Wallace, Amity Goodwill Industries

Ralph Hackett, Hamilton Central Lions Club

Paddy Chitty, Keep Hamilton Clean Citizen's Committee

John Norris, Mountainview Residents of Hamilton Inc.

Ron Barker, Third Sector

Don McLean, Friends of Redhill Valley

Stan Hoffman, City of Stoney Creek

Paul Piett, Hamilton Region Conservation Authority

Ross Tristani, Hamilton-Wentworth Roman Catholic Separate School Board

Lynda Kuhn, Philips Environmental

Paul Beneteau, Bruce Trail Association

John Struger, Hamilton Naturalist's Club

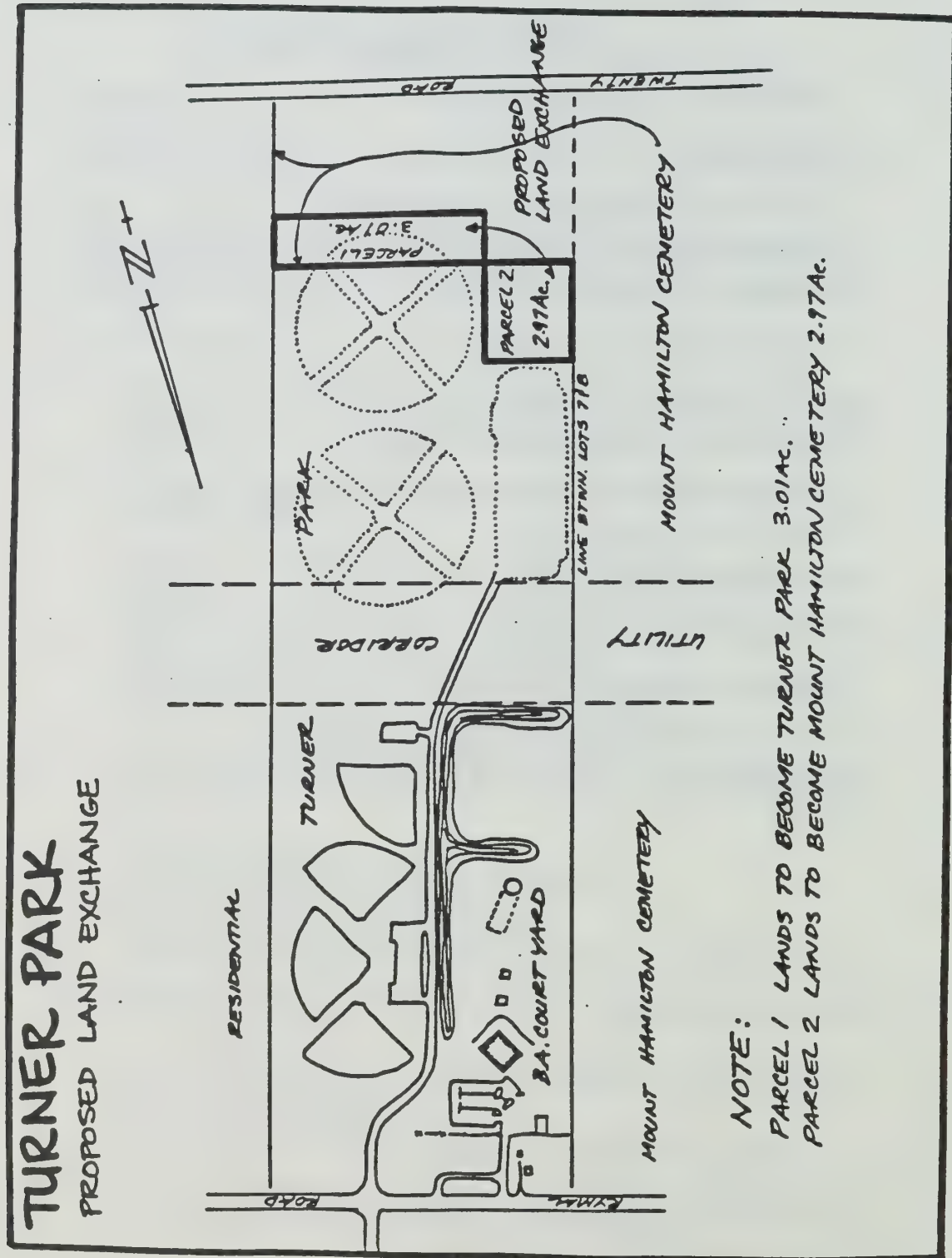
Alderman Dave Wilson, City of Hamilton

Harry Reinhold, former Superintendent of Streets & Sanitation

Public Works staff

1993 October 26

Appendix "B" as referred to
in Section 10 of the SEVENTEENTH
Report of the Parks and
Recreation Committee for
1993



1993 October 26

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTEENTH** Report for 1993 and respectfully recommends:

1. That approval be given to amended Zoning Application 93-24, Mr. W. Heck, owner, requesting a further modification to the established "D" (Urban Protected Residential, One and Two-Family Dwellings, etc.) District regulations, to permit a 3 storey - 5 unit mixed commercial/residential building, for property located at Nos. 305 and 307 Main Street West, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the "D" (Urban Protected Residential, One and Two-Family Dwellings, etc.) District regulations as contained in Section 10 of Zoning By-Law No. 6593, as amended by By-Law No. 73-303, applicable to the subject lands, be further modified to include the following variances as special requirements:
 - i. Notwithstanding Section 10.(1) of Zoning By-law No. 6593, a multiple dwelling containing a maximum of five (5) dwelling units shall be permitted, and two (2) ground floor dwelling units may be converted to one or more of the following uses, provided that the maximum gross floor area of each unit shall not exceed 96 m²:
 1. Commercial Uses:
 - (i) Professional Office or Business Office, excluding a Medical and Dental Office;
 - (ii) Photographer's Studio, Artist's Studio;
 - (iii) Barber Shop, Hairdressing Establishment, Beauty Parlour;
 - (iv) Tailor Shop, Dressmaking Establishment.

2. Commercial Boutique Type Uses:
 - (i) Music and Record Shop;
 - (ii) Gift Shop;
 - (iii) Art Gallery;
 - (iv) Retail Book Store;
 - (v) Wearing Apparel Shop, Millinery Shop.
 3. The following accessory use to the commercial uses permitted under paragraphs 1. and 2. of sub-clause b):
 - (i) one ground sign or wall sign or projecting sign.
 - ii. That Sections 10.(3)(i) and (3)(ii) of Zoning By-law No. 6593 shall not apply;
 - iii. That a minimum of five (5) parking spaces shall be provided and maintained on-site;
 - iv. Notwithstanding Section 18A(7) of Zoning By-law No. 6593, the required parking spaces shall have a minimum length of 5.8 m;
 - v. Notwithstanding Sections 18A(11)(a) and (12)(a) of Zoning By-law No. 6593, a minimum 0.6 m wide landscape planting strip shall be provided and maintained along the easterly and westerly lot lines of the parking area, and a minimum 1.0 m wide landscape planting strip shall be provided and maintained along the southerly lot line;
 - vi. Notwithstanding Section 18A, Table 6, the required manoeuvring space aisle width for a required parking space shall be a minimum of 5.8 m.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1316, and that the subject lands on Zoning District Maps W-12 and W-13 be notated S-1316;

1993 October 26

- (c) That the City be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-12 and W-13 for presentation to City Council: and,
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2. For the Information of the Members of City Council, the Planning and Development Committee has appointed the following residents of the St. Clair Heritage District to the St. Clair Heritage District Advisory Committee:

Donald Quick, 129 St. Clair Avenue
Zigmunt Cwierzinski, 131 St. Clair Avenue

The Committee also appointed John Mokrycke as the L.A.C.A.C. representative.

3. That the Building Commissioner be authorized to issue demolition permits for the following:
- (a) 1328 Upper Wellington Street
 - (b) 70 Chestnut Avenue
4. That a Commercial Loan in the amount of fifteen thousand dollars (\$15,000.) be approved for Mary Elisabeth Keir and Michael Allen Keir. The interest rate will be 2 7/8 per cent amortized over 10 years.
5. (a) That the request of Mark A. Scholes, Solicitor for Rymal Square Development Inc. (Arthur Weisz, President), to remove part-lot control from Lots 2-30, inclusive, "Rymal Square Estates, Phase IV" plan of subdivision, 62M-743, be approved; and,
- (b) That following enactment of the enabling by-law, that the Regional Municipality of Hamilton-Wentworth (as delegates of the Minister of Municipal Affairs) be requested to grant approval to the by-law and endorse the same on the by-law; and
 - (c) That following completion of the conveyances being permitted by the said by-law to remove part-lot control, a by-law be enacted to repeal the said by-law.

1993 October 26

6. That leave be granted to introduce the following Bill:

Bill C-74 By-law to Amend By-law 86-73 as amended by By-laws No. 87-148, 92-058 and 93-065 respecting Members of the Board of Management of the Business Improvement Area Generally Bounded by King William Street, Mary Street, Main Street East and James Street North.

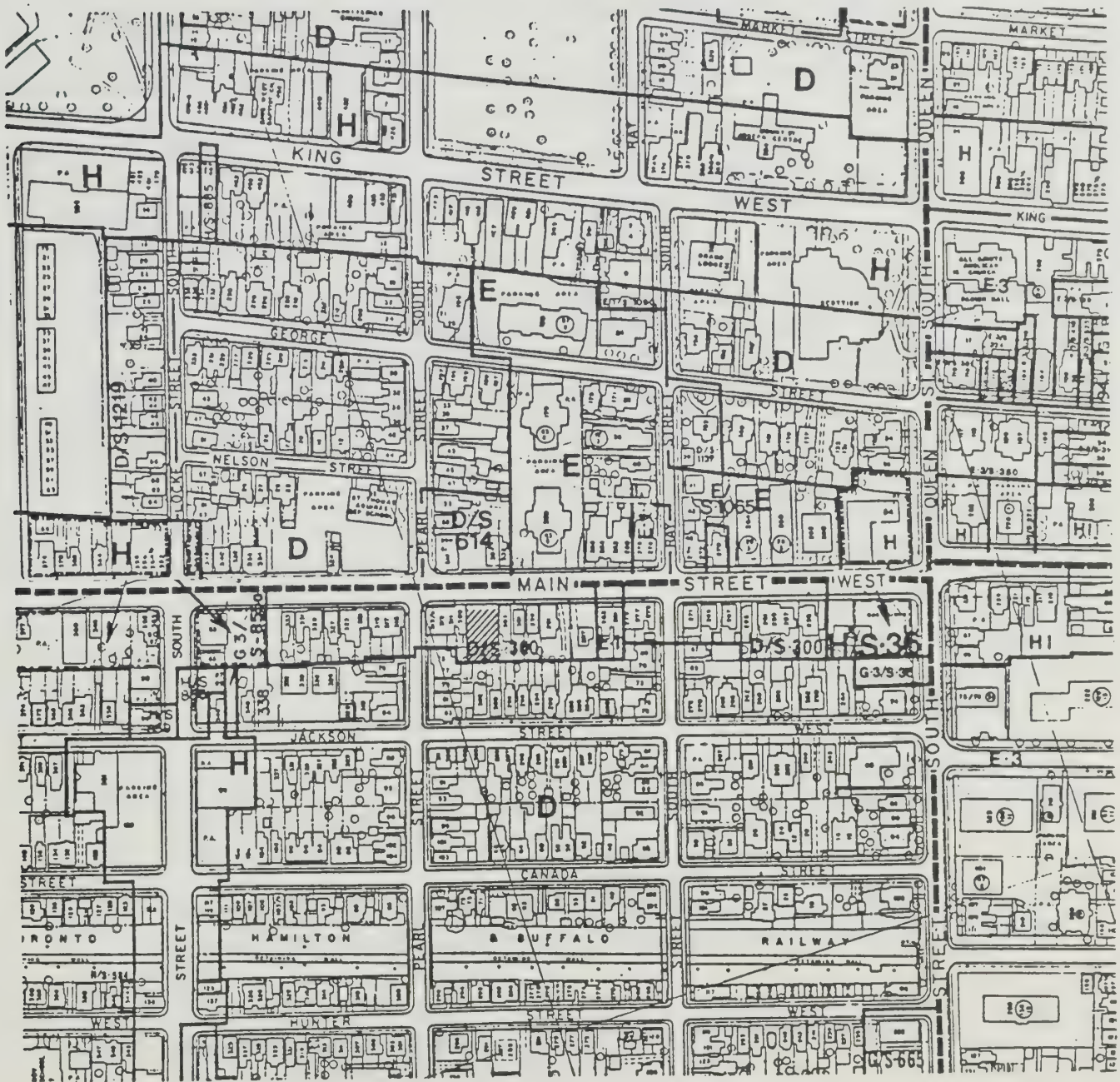
RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Susan K. Reeder, Acting Secretary
1993 October 6**

1993 October 26

Appendix "A" as referred to
in Section 1 of the FIFTEENTH
Report of the Planning and
Development Committee for
1993



Legend



Site of the Application



1993 October 26

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTEENTH** Report for 1993 and respectfully recommends:

1. That approval be given to Zoning Application 93-29, Jorge Mota, owner, requesting a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations, to permit a 30 seat restaurant and take out food business, for property located at No. 1042 Barton Street East, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14 of Zoning By-law No. 6593; applicable to the subject lands, be modified to include the following variance as a special requirement:
 - i. Notwithstanding Section 18A(36) of Zoning By-law No. 6593, a restaurant with a maximum seating capacity of 30 seats and take out food business shall be permitted within the existing building only.
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1317, and that the subject lands on Zoning District Map E-43 be notated S-1317;
 - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-43 for presentation to City Council; and,
 - (d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. A. That approval be given to Zoning Application 93-27, 172965 Canada Limited (Imperial Oil) c/o Vince Serratore, owner, requesting a modification to the "H" (Community Shopping and Commercial, etc.) District regulations, to permit redevelopment of the existing gas station and repair garage for a gas bar, car wash and convenience store (kiosk), on property located at No. 528 Mohawk Road East (south east corner of Mohawk Road East and Upper Sherman Avenue), as shown on the attached map marked as Appendix "B", on the following basis:
 - (a) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-Law No. 6593, be modified to include the following variances as special requirements:
 - i. Notwithstanding Section 14.(1)(xviii) of Zoning By-Law No. 6593, a mechanical car wash consisting of one bay, as an accessory use to a gas bar shall be permitted;
 - ii. A planting strip not less than 6.0 m in width shall be provided and maintained along the southerly lot line and no parking or other use shall be permitted within the planting strip;
 - iii. A planting strip not less than 3.0 m in width shall be provided and maintained along the northerly and westerly lot lines, except for any area used for vehicular access; and
 - iv. A visual/acoustical barrier not less than 1.8 m in height and not more than 2.0 m in height shall be provided and maintained along the southerly and easterly lot lines, except that no visual/acoustical barrier shall be situate less than 3.0 m in distance from the westerly lot line (Upper Sherman Avenue) or the northerly lot line (Mohawk Road East);
 - (b) That the amending By-Law be added to Section 19B of Zoning By-Law No. 6593 as Schedule S-1318, and that the subject lands on Zoning District Map E-38 be notated S-1318;
 - (c) That the City Solicitor be directed to prepare a By-Law to amend Zoning By-Law No. 6593, and Zoning District Map E-38 for presentation to City Council; and

1993 October 26

- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- B. That By-Law No. 79-275 as amended by By-Law No. 87-223 be amended by adding the subject lands to Schedule "A".
- 3. That, in accordance with the provisions of Section 42 of the Ontario Heritage Act, 1989, a heritage permit be approved for the revised plans for the proposed addition to the Hamilton Regional Indian Centre at 712 Main Street East, a designated building in the St. Clair Heritage Conservation District, for the east, south and north elevations.
- 4. (a) That the Hamilton Disabled Programme be amended to provide grants of up to 50% of the costs of accessibility work to a maximum of \$5,000.
(b) That eligible funding projects include accessibility modifications for properties not eligible under the Provincial Government's Ontario Home Renewal-Disabled. This would include lodging homes, rental units, nursing homes, churches, day care centres, etc.
- 5. That the Building Commissioner be authorized to issue demolition permits for the following:
 - (a) 757 West 5th Street
 - (b) 795 West 5th Street
 - (c) 68 Chipman Avenue
- 6. (a) That By-law No. 92-079 appointing the Barton Street B.I.A. Board of Management be amended to **delete** the following names:

Fabio Chiappetta	Your Bakery
Paul Hamburg	Creations Pastry Shop
Rob Brooker	Gas Tank King
Ann Coward	Angelo's Place
Ron Stewart	Bank of Montreal
John Stassis	Dr. Carburetor

1993 October 26

- (b) That in accordance with the provisions of subsections 6 and 8 of Section 220 of the Municipal Act, R.S.O. 1990, City Council appoint the following persons to hold office as a member of the Barton Street Business Improvement Area:

Bernie Rouff	Rouff's Eatery and Sports
Lori Stokes	Silvestri's Paradise of Flowers
Janice Robinson	Royal Bank

- (c) That the City Solicitor be authorized and directed to amend By-law No. 92-079 pursuant to (a) and (b) above.

7. (a) That the originally approved Implementation Plan for the Central/Beasley PRIDE H.I.N.T. Program be amended to include the development of a community centre and the acquisition and development of land for a park at an upset estimated cost of \$711,800. as per the attached Schedule "C".
- (b) That subject to (a) the Parks and Recreation Committee be requested to endorse the development of a community centre and the acquisition and development of land for park purposes.

8. That leave be granted to introduce the following Bills:

- (a) C-75 By-law to Amend Zoning By-law No. 6593 respecting Lands Located in the West of Garth Street and South of Claudette Gate
- (b) C-76 By-law to Remove Land within the Rymal Square Estates, Phase IV Subdivision, Plan 62M-743 from Part Lot Control
- (c) C-77 By-law to Amend Zoning By-law No. 6593 respecting Land Located at Municipal No. 855 Upper Horning Road
- (d) C-78 By-law to Amend Zoning By-law 6593 respecting Lands Located at Municipal Nos. 478 and 488 Rymal Road East

1993 October 26

- (e) C-79 By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 92-032 respecting Land Located at Municipal Nos. 952-954 Concession Street
- (f) C-80 By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 86-121 respecting Land Located at Municipal No. 304 Victoria Avenue North.

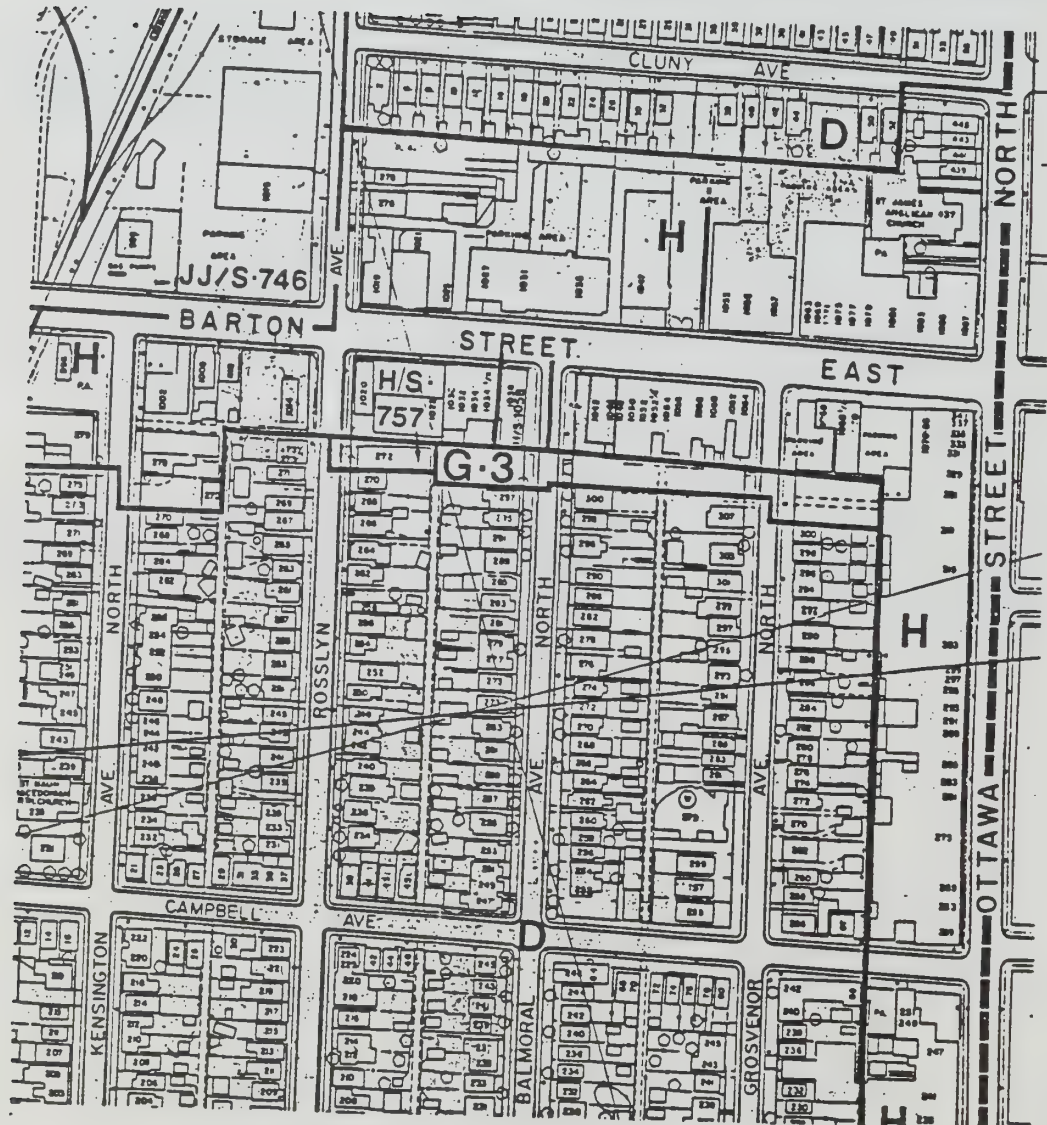
RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

Tina Agnello, Secretary
1993 October 20

1993 October 26

Appendix "A" as referred to
in Section 1 of the SIXTEENTH
Report of the Planning and
Development Committee for
1993



LEGEND

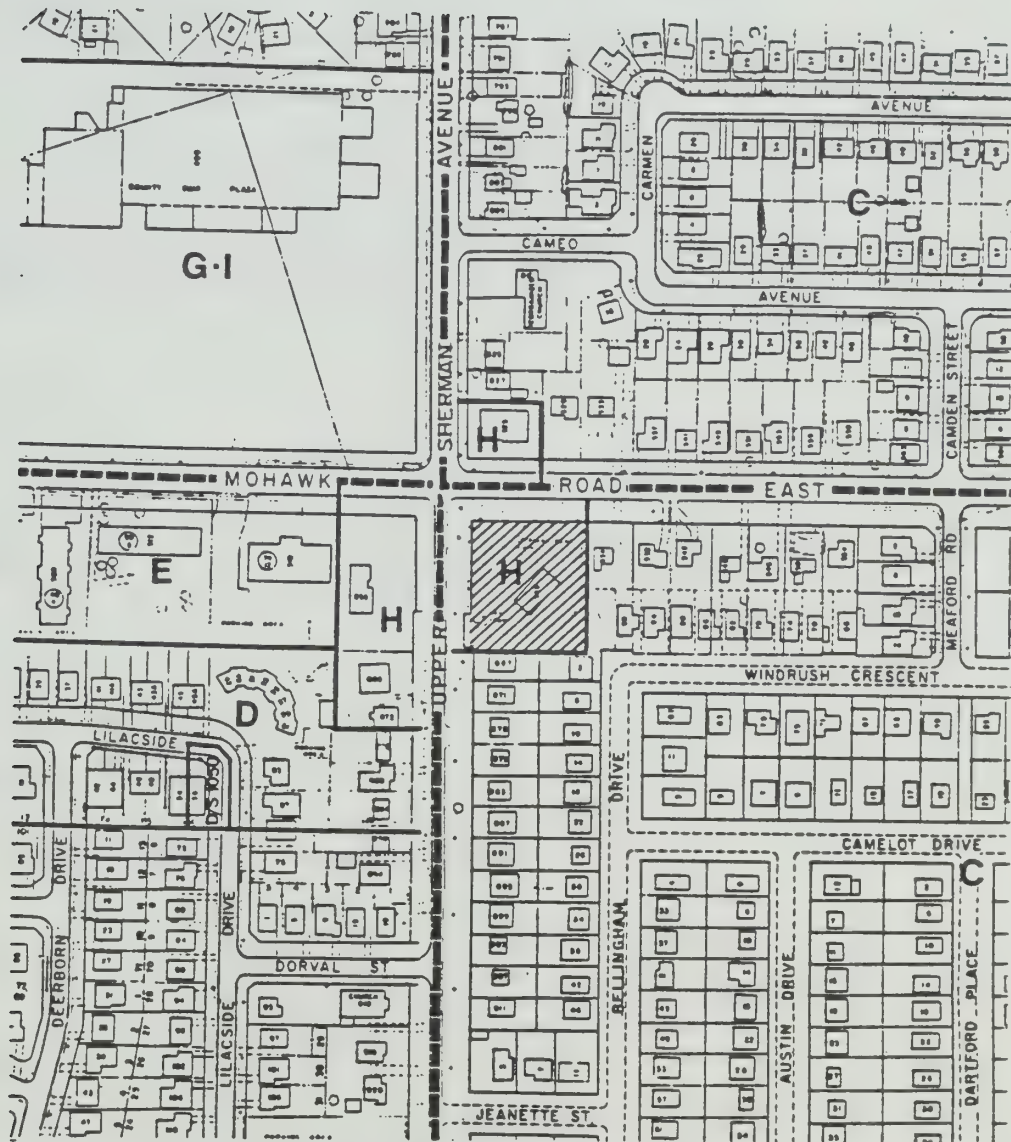


Site of the Application



1993 October 26

Appendix "B" as referred to
in Section 2 of the SIXTEENTH
Report of the Planning and
Development Committee for
1993



Site of the Application


ZAC-93-27

1993 October 26

Appendix "C" as referred to in
Section 7 of the SIXTEENTH
Report of the Planning and
Development Committee for
1993

CENTRAL/BEASLEY PRIDE H.INT. PROGRAM

**PRIORITY PROJECTS IDENTIFIED BY THE CENTRAL/BEASLEY PRIDE H.INT.
CITIZENS' ADVISORY COMMITTEE FOR REMAINING FUNDS**

1.	Renovation of the existing building within Beasley Park to a Community Centre.	\$250,000.
2.	Acquisition and development of land within the Central portion of the Community Improvement Project Area.	\$400,000.
	Contingency	\$ 61,800.
	SUB-TOTAL	<u>\$711,800.</u>

**PROJECTS PREVIOUSLY APPROVED BY CITY COUNCIL
THAT HAVE BEEN OR WILL BE IMPLEMENTED**

1.	Subsidization for the Construction of Beasley Park	\$247,000.
2.	Implementation of Phase I Projects (including street trees, buffering of incompatible uses, play structure at St. Mary's School)	\$271,200.
3.	Outstanding items from Phase I: - Stuart Street improvement (from Bay to MacNab Streets) pedestrian amenities, fencing, ramping, landscaping) - Additional street tree planting	\$ 60,000.
4.	Consultant Fees:	\$150,000.
	GRAND TOTAL	<u>\$1,440,000.</u>

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **THIRD** Report for 1993 and respectfully recommends:

That Jacqueline R.M. Crerar and T. Harry Kandilas be appointed as citizen members to serve on the Mayor's Race Relations Committee for a term to expire 1994 November 30, to fill vacancies created by resigning members.

RESPECTFULLY SUBMITTED

Robert M. Morrow
Mayor

Stella Glover, Secretary
Mayor's Race Relations Committee

1993 September 27

1993 October 26

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTIETH** Report for 1993 and respectfully recommends:

1. That Part 6 of Schedule 4 of By-law 93-069 respecting the Taxicab Priority List be amended as follows:
 - (a) That the Taxicab Priority List be closed and no further applications for the addition of names to the list be accepted after 1993 October 12.
 - (b) That any person currently on the Taxicab Priority List who fails to renew by the September 30th deadline be permitted to pay a late renewal filing fee of \$100. up to December 31st of the same year.
 - (c) That the City Solicitor be authorized and directed to prepare the appropriate by-law.
2. For the information of the members of City Council, the Finance and Administration Committee has appointed Michael Duvalsaint to the French Sub-Committee to replace Stephane Drolet who resigned, for a term to expire 1994 November 30.
3. For the information of the members of City Council, the Finance and Administration Committee has appointed Ronald VanKleef to replace Bob Esselment as the Taxi Brokerage Representative for Veterans Taxi on the Taxi Advisory Committee for a term to expire 1994 November 30.
4.
 - (a) That approval be given to the request of Allenby School Continuing Education Programme to use the second floor lobby from 1993 October 1 - 15 for a Student Art Exhibit; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity; and,

1993 October 26

5. (a) That approval be given to the request of the St. Joseph's Hospital Race Committee to use the City Hall forecourt on Sunday, 1993 October 24 from 11:00 a.m. - 12:30 p.m. for a finishing point to the St. Joseph's Hospital Run; and,

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity; and,
6. (a) That approval be given to the request of The Salvation Army to use the City Hall forecourt on Friday, 1993 December 10 from 7:00 - 9:00 p.m. for an outdoor Community Carol Sing; and,

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
7. (a) That approval be given to the action taken by the City Clerk in authorizing the Public Works Department to set up a display under the staircase on the first floor from 1993 October 4 - 12 on the occasion of Waste Reduction Week; and,

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
8. (a) That a purchase order be issued to Wesco Inc., Hamilton, in the amount of \$67,482.87, including all taxes, for the supply and delivery of Light Fixtures for Commonwealth Square, being the lowest of five quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's Quotation, and be financed through Sculpture Court, Commonwealth Square Account No. CF5200 319349008; and,

(b) That, because delivery lead-time is 8-10 weeks, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".
9. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1993 October 13, attached herewith and marked Appendix "A", be approved.

10. That as referred to in Section 18 of the Thirteenth Report for 1993 of the Transport and Environment Committee, the City's share of "Allison Estates - Phase 1" Servicing, at a cost of \$142,744.15, as previously approved under Item 12 of the Thirteenth Report of the Finance and Administration Committee adopted by Council 1993, June 29 be deleted and the new revised cost of \$186,454.94 be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".
11.
 - (a) That as referred to in Section 5 of the Seventeenth report for 1993 of the Parks and Recreation Committee, the City's contribution in the amount of \$6,000. to participate in the 1994 Childrens' International Winter Games to be held in Ravne Na Koroskem, Slovenia, 1994 February 11-13, be financed from the Reserve for Hosting of Conferences with Municipal Subject Content Account No. CH 00126; and,
 - (b) That the surplus funds (approximately \$8,000.) from the 1993 participation in the Childrens' International Games within Recreation Centre Account No. CH 70002 be transferred to the Reserve for Hosting of Conferences with Municipal Subject Content Account No. CH 00126.
12. That as referred to in Section 6 of the Seventeenth report for 1993 of the Parks and Recreation Committee, the City's contribution in the amount of \$114,000. to Host the 1994 Childrens' International Summer Games be financed as follows:
 - (a) \$50,000. to be provided within the Recreation 1994 Budget Account No. CH 5xxx 70002, the same provision as in the 1993 Recreation Budget; and,
 - (b) \$64,000. from the Reserve for Hosting of Conferences with Municipal Subject Content Account No. CH 00126.
13. That as referred to in Section 20 of the Thirteenth Report for 1993 of the Transport and Environment Committee, the outstanding balance of the final settlement of expropriation, part of 1477 Upper James Street - Albert Boxinbaum, in the amount of \$408,850. be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands up to an amount of \$238,000. and the balance of \$170,850. be financed from Centre No. CH 00203 Reserve for Capital Projects.

14.
 - (a) That Regional Council be requested to ask its Transportation Services Committee to consider allowing meter parking, with a 15 minute time limit, on the south side of York Boulevard between the front of the Hamilton Public Library and MacNab Street, on a six month trial basis; and,
 - (b) That one of the meter parking spots be designated for wheelchair loading; and,
 - (c) That the cost of parking at the above-mentioned meters be at the rate of 50 cents per 15 minutes; and,
 - (d) That the City of Hamilton Traffic Department be requested to investigate the feasibility of a combination of metered parking and a loading zone at the above-mentioned location and prepare a report in this regard.
15.
 - (a) That an Offer to Purchase, executed by Mintz Catering Limited., In Trust to a Company to be Incorporated and Without Personal Liability (Max Mintz, President), on 1993 October 13, and scheduled to close on or before 1993 December 14, for the purchase of part of Lot 71, Plan 36, having a frontage along the northerly limit of Rebecca Street of 44.08 feet (13.43 metres) by a depth of 110 feet (33.53 metres) more or less, together with building erected thereon, bearing municipal number 195 Rebecca Street, as shown on Plan NS-2150 Surveys, be approved and completed and the funds derived from this sale of \$147,000. be credited to Account No. CH 4X501 00102 (Sale of Land - Reserve for Property Purchases); and,
 - (b) That a certified deposit cheque in the amount of \$14,700. be held by the City Treasurer pending approval of this transaction; and,
 - (c) That the Corporation of the City of Hamilton, upon acceptance of this Offer to Purchase, and subject to the transaction being closed and completed, agrees to pay a commission of \$6,880. (5% of first \$100,000., 4% on the balance) to Glen Easson, Glen Easson Real Estate Ltd.; and,
 - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

16. (a) That the Director of Property and Manager of Purchasing be directed to prepare tender documents for the installation of an economic energy efficient lighting system at the Hamilton Farmers' Market; and,
 - (b) That these tenders be reviewed with the Hamilton Farmers' Market Sub-Committee before final presentation to the Finance and Administration Committee.
17. (a) That 5% of the total grant budget allocation be reserved for grants for "special projects" for groups that have not previously received funding; and,
 - (b) That Sub-section (f) of Section 4 of the General Grants Policy respecting the processing of grant applications be amended to limit the grant amount to a maximum of 20% of the applicant's total operating budget, after the initial year of an approved grant; and,
 - (c) That the General Grants Policy be amended to allow for only those groups who have never received funding to be invited to make a verbal presentation to the Committee of the Whole, and that all other groups be allowed to make written presentations; and,
 - (d) That the previous year's growth of assessment be taken into consideration in setting the amount of the grant allocation; and,
 - (e) That Sub-section 4 of Section 2 of the General Grants Policy respecting Categories be deleted; and,
 - (f) That the Christmas Lighting Program and the Fire Department Band be moved from the Committed Grants allocation to the General Grants process; and,
 - (g) That the Arts Advisory Sub-Committee and the Sports Council discontinue providing comments on the grant applications, and that the Committee of the Whole rely on its staff to provide comment as required.

18.
 - (a) That the following be appointed as the City's Insurance Brokers of Record for a three year term from 1993 December 1 to 1996 December 1, (subject to annual review by the Treasurer) with an option to renew for each of the subsequent two years:
 - (i) Property Insurance - Alexander & Alexander Reed Stenhouse
 - (ii) Casualty Insurance - Johnson & Higgins Ltd.;
 - (b) That the Treasurer be authorized to purchase insurance coverage for the term 1993 December 1 to 1994 December 1 at, a estimated cost of \$518,405., plus applicable sales taxes; and,
 - (c) That the Treasurer be authorized to issue specifications, obtain premium quotes and purchase other classes of insurance not included in the accepted proposals of the appointed brokers, i. e: crime, directors and officers liability, association liability, etc.; and,
 - (d) That the following significant factors be implemented within the recommended insurance program:
 - (i) Increase Primary and Umbrella (Excess) Liability Coverage from \$14 million to \$25 million;
 - (ii) Reduce the deductible on the Primary Liability Insurance from \$3 million to \$500,000.;
 - (iii) Retain the \$100,000. deductible on Property Insurance;
 - (iv) Retain the \$100,000. deductible on Automobile Insurance for the Liability section and increase the deductible on the All Perils section to \$250,000.;
 - (e) That the Treasurer be authorized to negotiate and finalize an amount of payment to Armour Riley Inc. for extra work required of the consultant beyond the original terms of reference.
19. That the City's Early Retirement Offer to the Firefighters be effective 1993 November 1st, subject to acceptance by the Hamilton Professional Fire Fighters Association that the costs of an 1993 October 31st date be added to the Social Contract target.

20. (a) That the City of Hamilton request that the new Minister of Revenue take all necessary steps to prohibit the entry into Canada of Trading Cards describing the murders of Leslie Mahaffey and Kristen French; and,
- (b) That the City Solicitor and the City Clerk be directed to examine the following options of controlling or banning the sale of these cards in the City of Hamilton and report back to the Finance and Administration Committee's 1993 November 4th meeting:
- (i) Do these cards fit under the hate, crime category and be banned on this basis?
- (ii) To examine the exclusion of the sale of these cards under the current licensing of Variety and Convenience Stores;
- (iii) To examine the possibility of a special license similar to tobacco products to sell these trading cards and that the annual license fee be set at \$2,000.
21. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 38464/92 on the following terms:
- (a) That the City pay to the Plaintiffs Marjorie Mills and Edgar Mills, the sum of \$2,500., inclusive of all damages, interests and costs; and,
- (b) That the Plaintiffs be required to execute a Full and Final Release of the City of Hamilton is a form satisfactory to the City Solicitor; and,
- (c) That the Plaintiffs provide an order dismissing the action without costs.
22. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the hours of the sale of liquor being extended by one hour earlier to start at 10:00 o'clock a.m. for the Scotsman Pub at 96 George Street for the purpose of serving its clientele during the viewing of live coverage of soccer sporting events via satellite on the following dates:
- Sunday, 1993 October 24th/Saturday, 1993 October 30th/Saturday, 1993 November 20th/ Saturday, 1993 December 11th/ Saturday, 1993 December 27th/ Saturday, 1994 January 1st/ Saturday, 1994 January 15th/ Saturday, 1994 January 22nd/ Saturday, 1994 February 5th/Saturday, 1994 February 12th/ Saturday, 1994 March 5th/Saturday, 1994 March 26th/Saturday, 1994 April 2nd/Saturday, 1994 April 9th/Saturday, 1994 April 23rd/Saturday, 1994 April 30th/Saturday, 1994 May 14th.

1993 October 26

- 23. (a) That the grant request from the Around the Bay Road Race organizers for \$25,000. to promote the 100th anniversary of the Race occurring in 1994, be approved; and,
- (b) That the City Treasurer be directed to report back to the Finance and Administration Committee on the method of financing this 1994 expenditure from accounts separate from the City's grant budget.
- 24. That leave be granted to introduce the following Bills:
 - (a) Bill H-57 A By-law to Amend Schedule 4 of Licensing By-law No. 79-323 respecting Taxi-Cab Priority List and Procedures.
 - (b) Bill H-58 A By-law to Authorize West Mountain Bocce Program.
 - (b) Bill H-59 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 October 21**

Appendix 'A' referred
to in Section 9 of the
TWENTIETH Report of the
Finance and Administration
Committee for 1993.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Don Jodway	I	Labourer/Truck Driver (D-11)	Public Works	Replacing Mr. D. Murphy - promoted, June 28/93 New Position Council Approved Jan. 28/92	\$34, 956.48	Aug. 16/93
Mr. Dennis Schram	I	Gardener II (D-14)	Public Works	Replacing Mr. D. Moon - transferred, Jan. 06/91	\$36, 052.64	Oct. 4/93
Mr. Thomas Warburton	I	Street Sweeper/Flush Operator (D-14)	Public Works	Replacing Mr. R. Henderson - transferred to cemetery September 20/93 New Position through rightizing Jan. 01/92	\$36, 052.64	Sept. 26/93

Prepared October 13/93

Status Internal - I External - E
--

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Thomas Coady	Carpenter	Culture & Recreation	Retired	22 years, 3 months	Sept. 30/93

Prepared October 13/93

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

GOVERNMENT DOCUMENTS
OCT 1993
U.BAN M.

BILLS

CITY COUNCIL

1993 OCTOBER 26

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

**TO INCORPORATE PART 6, PLAN 62R-12332
INTO DALCAR COURT**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Dalcar Court by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form Dalcar Court.

Part of Lot 20, Concession 6, in the former geographic township of Barton, designated as Part 6, on Plan 62R-12332.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this

day of

A.D. 1993.

City Clerk

Mayor

BY-LAW NO. 93 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Cranbrook	Eastbound and Westbound	Greenshire
East 8th	Northbound and Southbound	Brucedale
East 25th	Northbound and Southbound	Brucedale".

and by deleting therefrom the following item, namely:-

"Cranbrook	Eastbound and Westbound	Stanlow".
------------	-------------------------	-----------

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following item, namely:-

"Lower Homing	West	Whitney to 71 feet south	Anytime".
---------------	------	--------------------------	-----------

3. **Schedule 31 (School Bus Loading Zones)** is hereby amended by adding thereto the following items, namely:-

"Queensdale	South	160 feet	33 feet west of the	7:00 a.m.-6:00 p.m.
			west curb line of Nancy	Monday to Saturday".

and by deleting therefrom the following item, namely:-

"Queensdale	South	120 feet	33 feet west of the	7:00 a.m.-6:00 p.m.
			west curb line of Nancy	Monday to Saturday".

4. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following items, namely:-

*South Bend	South	36 feet	280 feet east of East 16th	8:00 a.m. to 9:00 p.m. Monday to Friday
-------------	-------	---------	----------------------------	--

Park Row	East	19 feet	84 feet north of Roxborough	10:00 a.m. to 5:00 p.m. Monday to Friday".
----------	------	---------	-----------------------------	---

and by deleting therefrom the following item, namely:-

"South Bend	South	36 feet	280 feet east of East 16th	10:00 a.m. to 9:00 p.m. Monday to Friday".
-------------	-------	---------	----------------------------	---

PASSED this _____ day of _____ A.D. 1993.

CITY CLERK

MAYOR

BY-LAW NO. 93 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 34 (Sticker Permit Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Leeming	East	commencing at a point 31 feet north of Cannon to a point 18 feet northerly therefrom	Anytime
Garfield	East	commencing at the north end of Garfield to point 22 feet southerly therefrom	Anytime
Strathearn	West	commencing at a point 183 feet south of the north end of Strathearn to a point 28 feet southerly therefrom	Anytime
Jackson	South	commencing at a point 122 feet west of Queen to Ray	Anytime".

and by deleting therefrom the following items, namely:-

"Ray	West	commencing at a point 75 feet south of York to a point 20 feet southerly therefrom	Anytime
Jackson	South	Queen to Ray	Anytime".

2. **Schedule 26 (No Parking Areas)** is hereby amended by adding to **Section A (No Parking Anytime)** the following item, namely:-

"Salmond North Upper Ottawa to 124 feet west".

3. **Schedule 27 (Alternate Side Parking)** is hereby amended by adding thereto the following item, namely:-

"Cloverhill East West".
Brantdale to Gateview

4. **Schedule 37 (Snow Routes)** is hereby amended by adding thereto the following items, namely:-

"Eva Both Rymal Eaglewood
Eaglewood Both Eva Eleanor".

5. **Schedule 25A (Parking Time Limits)** is hereby amended:

- a) by adding to **Section 5 (One Hour Limit)** the following item, namely:-

"McElroy North Upper James to West 2nd".

- b) by adding to **Section 7 (Three Hour Limit)** the following item, namely:-

"Cloverhill Both Brantdale to Gateview".

6. **Schedule 25B (Parking Time Limits)** is hereby amended by adding to **Section 1 (Three Hour Limit)** the following item, namely:-

"Jackson South Queen to 122 feet west".

PASSED this day of A.D. 1993.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

By-law No. 86-73

As Amended by By-laws No. 87-148, 92-058 and 93-065

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE BUSINESS IMPROVEMENT AREA GENERALLY BOUNDED BY
KING WILLIAM STREET, MARY STREET, MAIN STREET EAST
AND JAMES STREET NORTH**

WHEREAS By-law No. 86-73, passed on the 11th day of February 1986, continued the Board of Management established by By-law No. 83-71, passed on the 22nd day of February 1983, of the Improvement Area designated by By-law No. 82-151, passed on the 29th day of June 1982, known as the "Downtown Promenade Business Improvement Area", more particularly described in By-law No. 82-151, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 87-148, passed on the 12th day of May 1987 amended Schedule "B" of By-law No. 86-73 to appoint a new member to the Board of Management;

AND WHEREAS By-law No. 92-058, passed on the 11th day of February 1992 repealed and replaced Schedule "B" of By-law No. 86-98 to appoint new members to the Board of Management;

AND WHEREAS By-law No. 93-065, passed on the 30th day of March 1993 amended Schedule "B" of By-law No. 86-73 to delete three members and appoint a new member to the Board of Management;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 3 of the 14th Report of the Planning and Development Committee at its meeting held on the 28th day of September 1993, directed that the composition of the Board of Management be further amended, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 86-73, as amended, is further amended by adding the following names:

John Saltis
Angelo Morgante

Trust Leather
The Adventure Attic

2. In all other respects, By-law No. 86-73, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1993

CITY CLERK

MAYOR

(1993) 14 R.P.D.C. 3, September 28

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED IN THE AREA WEST OF GARTH STREET
AND SOUTH OF CLAUDETTE GATE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

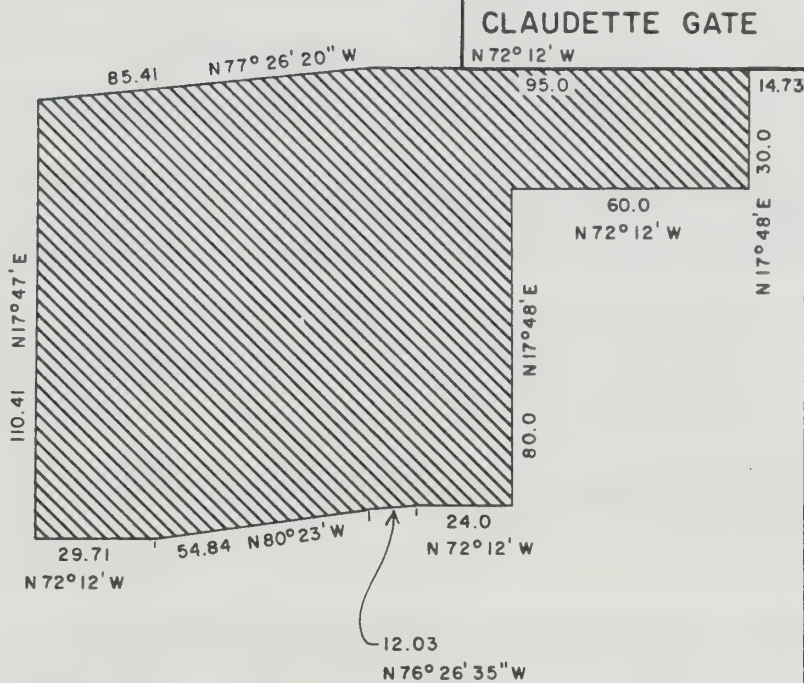
PASSED this day of

A.D. 1993.

CITY CLERK

MAYOR

(1993) 13 R.P.D.C. 1, August 31
800064 Ontario Inc.,
(A. DiSilvestro, Owner)
Amended ZAC-93-14



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-.....
Passed the day of, 1993.

.....
Clerk

.....
Mayor

City of Hamilton
Schedule A

Map Forming Part of
By-Law No. 93-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"C" (Urban Protected Residential, etc.)
District to "R-4" (Small Lot Single-Family
Detached) District.

North



Scale
NOT TO SCALE

Date
OCTOBER 1993

Reference File No.
ZAC 93-14

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

**To Remove
Land within the Rymal Square Estates, Phase IV Subdivision, Plan 62M-743
from Part Lot Control**

WHEREAS subsection 5 of section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of section 50 of the Planning Act, states, in part, as follows:

- (7) Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or part of parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection (5) ceases to apply to such land, . . .;

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of section 50 of the Planning Act, shall not apply to the following lands:

Lots 2-30, inclusive, within Registered Plan Number 62M-743, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.
2. (a) This by-law is subject to the approval of the Council of The Regional Municipality of Hamilton-Wentworth.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

PASSED

this day of

A.D. 1993.

CITY CLERK

MAYOR

This Bylaw is approved pursuant to section 50(7), the Planning Act and section 4, Bylaw R89-171 of The Regional Municipality of Hamilton-Wentworth, this day of 1993.

Commissioner of Planning and Development of
The Regional Municipality of Hamilton-Wentworth

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 855 UPPER HORNING ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District,

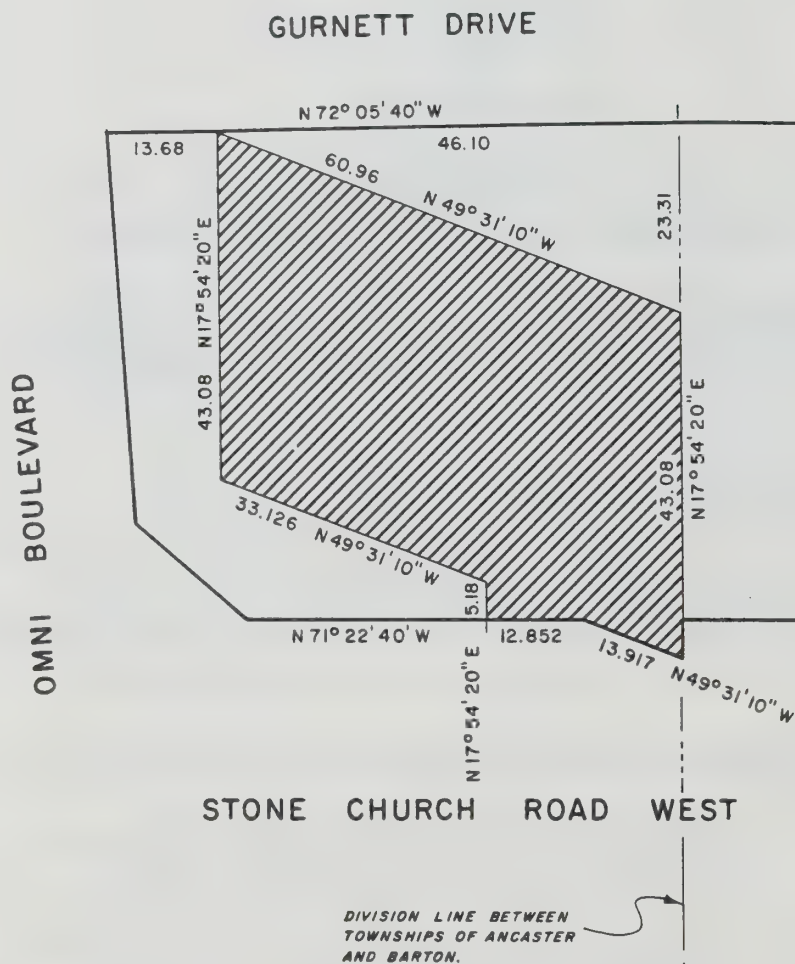
the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1993.

CITY CLERK

MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-.....
 Passed the day of, 1993.

.....
 Clerk

.....
 Mayor

City of Hamilton
Schedule A

Map Forming Part of
 By-Law No. 93-.....

to Amend By-Law No. 6593

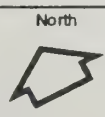
Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend

Change in zoning from:



"B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District.



North
 Scale
 NOT TO SCALE
 Date
 OCTOBER 1993

Reference File No.
 ZA-92-25
 Drawn By
 Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 478 AND 488 RYMAL ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-27E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "B-2" (Suburban Residential) District, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

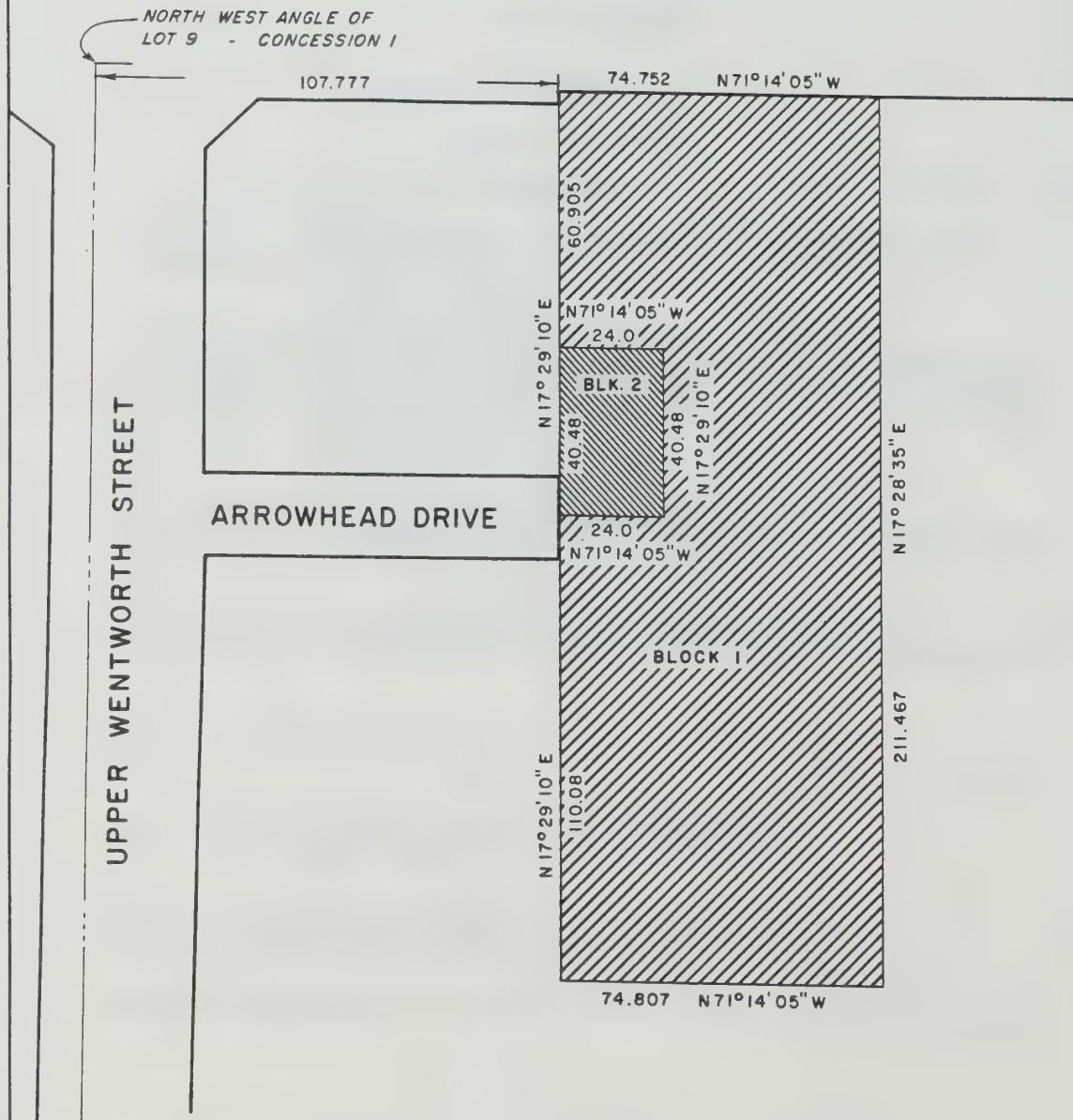
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1993.

CITY CLERK

MAYOR

RYMAL ROAD EAST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-.....
Passed the day of, 1993.

.....
Clerk

.....
Mayor



City of Hamilton Schedule A

Map Forming Part of
By-Law No. 93-.....
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from "AA" (Agricultural) District to:

- BLOCK 1  "B-2" (Suburban Residential) District.
- BLOCK 2  "C" (Urban Protected Residential, etc.) District.

North



Scale
NOT TO SCALE

Date
SEPT. 1993

Reference File No.
ZAC - 93 - 09

Drawn By
Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 92-032

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 952-954 CONCESSION STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 92-032 on the 14th day of January 1992 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "C" District and "G-3" District, in respect of the lands located at Municipal Nos. 952 and 954 Concession Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(21) of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 10 of the 14th Report of the Planning and Development Committee at its meeting held on the 28th day of September 1993, recommended that Zoning By-law No. 6593, as amended by By-law No. 92-032, be further amended to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 92-032 is repealed in its entirety.
2. Section 3 of By-law No. 92-032 is amended by deleting the words "'C" District and" in the fourth line, and removing the "s" at the end of the word "sections", and "1 and" in the fifth line, so that this section will read as follows:

"No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-3" District provisions, subject to the special requirements referred to in section 2."

3. Sheet No. E-35 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District modified, to "G-4" (Designed Neighbourhood Shopping Area) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

4. The "G-4" (Designed Neighbourhood Shopping Area) District provisions, as contained in Section 13D of Zoning By-law No. 6593, applicable to the lands referred to in section 3 are amended to the extent only of the special requirements that,

- (i) notwithstanding Section 13D.(1) of By-law No. 6593, the uses shall be permitted within the existing building only;
- (ii) notwithstanding Section 13D.(1)B. of By-law No. 6593, the following additional commercial uses shall be permitted within the existing building only:
 1. a business or professional person's office;
 2. a judo/karate club;
 3. a florist;
 4. a drapery and blinds store;
 5. a pet store; and
 6. a self-service laundry;
- (iii) notwithstanding Section 13D.(1)(B)(iv) of By-law No. 6593, a restaurant or refreshment room without dancing or other entertainment except music shall be permitted within the existing building only, with a maximum seating capacity of 25 seats;
- (iv) notwithstanding Section 13D.(1)B. of By-law No. 6593, the following commercial uses shall be prohibited:
 1. an outdoor patio; and
 2. a gun shop;
- (v) Section 18A.(27) of By-law No. 6593 shall not apply.

5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-4" District provisions, subject to the special requirements referred to in section 4 of this by-law.

6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1214a.

7. Sheet No. E-35 of the District Maps is amended by marking the lands referred to in section 3 of this by-law, S-1214a.

8. In all other respects, By-law No. 92-032 is hereby confirmed, unchanged.

9. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

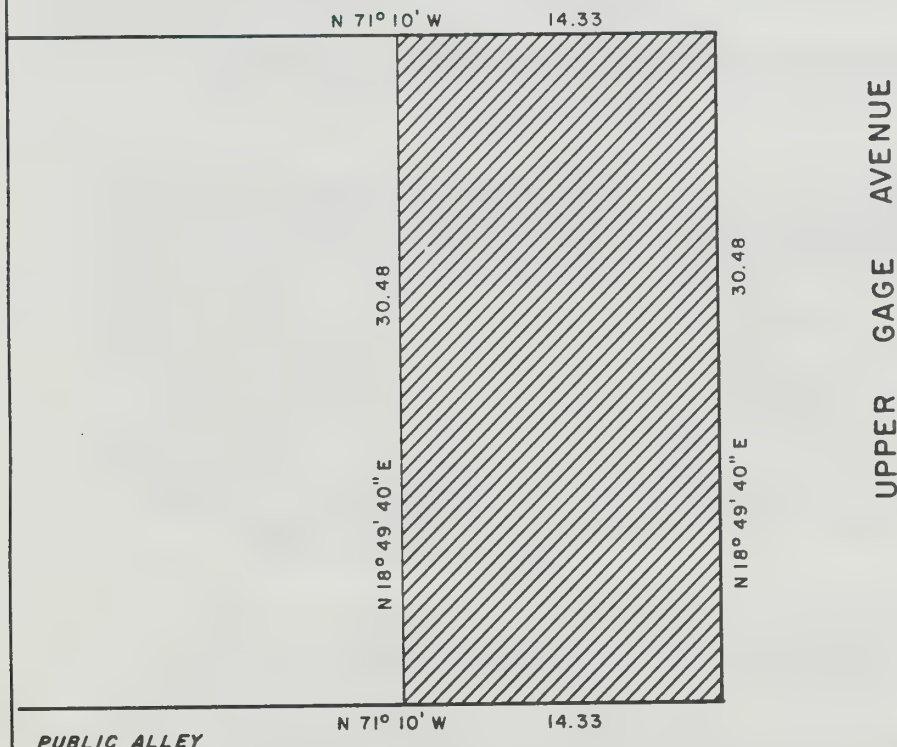
PASSED this day of A.D. 1993.

CITY CLERK

MAYOR

(1993) 14 R.P.D.C. 10, September 28
Mr. and Mrs. M. Trikas, Owners
Amended ZAC-93-20

CONCESSION STREET



PUBLIC ALLEY

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-.....
Passed the day of, 1993.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 93-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"C" (Urban Protected Residential, etc.) District, modified to "G-4" (Designed Neighbourhood Shopping Area) District, modified.

North



Scale
NOT TO SCALE

Date
OCTOBER 1993

Reference File No.
ZAC 93-20

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593
as Amended By Zoning By-law No. 86-121

Respecting:

LAND LOCATED AT MUNICIPAL NO. 304 VICTORIA AVENUE NORTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 86-121 on the 8th day of April 1986 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "H" District, in respect of the lands located at Municipal Nos. 304, 306, 310, 312, 316, 318, 320, 322, 324 and 326 Victoria Avenue North, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, Chapter 1;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 11 of the 14th Report of the Planning and Development Committee at its meeting held on the 28th day of September 1993, recommended that Zoning By-law No. 6593, as amended by By-law No. 86-121 be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection (c) of Section 2. of By-law No. 86-121 is repealed in its entirety and the following substituted therefor:

(c) notwithstanding subsection 14.(1) of By-law No. 6593, the use of the basement shall be limited to the following:

(i) ACCESSORY USES:

1. A restaurant (coffee shop), provided that:

- a) it shall have a maximum gross floor area of 65 m²;
- b) it shall have access only from within the interior of the building; and

- c) no indication of the existence or availability of any such use whether by way of a sign, display, or otherwise shall be visible from the outside of the building.

2. Storage and utilities.

2. Subsection (f) of Section 2 of By-law No. 86-121 is amended by deleting the word "and" after 4(c), and adding the phrase "and 4(f)" after 4(i), all in the second line, so that it reads as follows:

- (f) notwithstanding paragraphs 4(a), 4(c), 4(i) and 4(f) of Table 1 of clause 18A(1)(a) of By-law No. 6593, a minimum of 93 parking spaces shall be provided and maintained.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 2 of By-law No. 86-121 and Sections 1 and 2 of this by-law.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-940a.

5. Sheet No. E-12 of the District Maps is amended by marking the lands referred to in section 1 of By-law No. 86-121, S-940a.

6. In all other respects, By-law No. 86-121 is hereby confirmed, unchanged.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

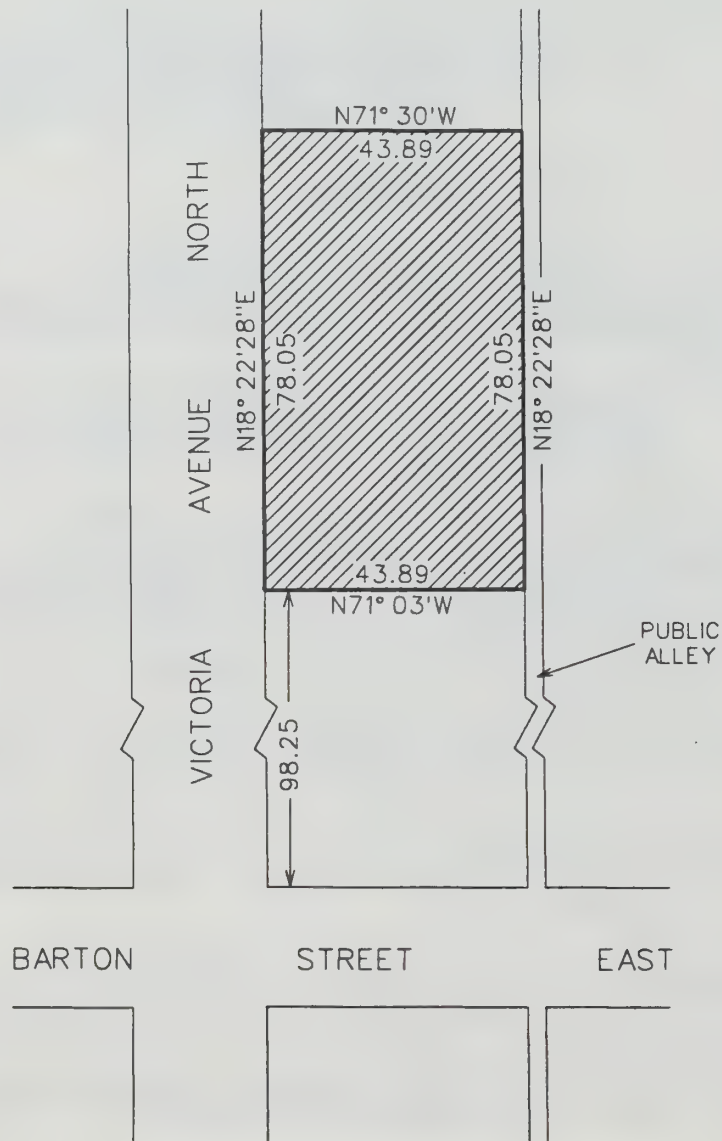
day of

A.D. 1993.

CITY CLERK

MAYOR

(1993) 14 R.P.D.C. 11, September 28
304 Victoria Ave. N. Holdings Ltd.,
(Dr. N. Gagic, President), Owner
ZAC-93-18



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-____
 Passed the _____ day of _____, 1993.

 Clerk

 Mayor

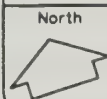
City of Hamilton
Schedule A
 Map Forming Part of
 By-Law No. 93-_____
 to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend



Lands to be Regulated by
 By-Law No. 93-_____



North

Scale
 NOT TO SCALE

Date
 SEPTEMBER 24, 1993

Reference File No.
 ZAC-93-18

Drawn By
 W. J. S.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Schedule 4 of Licensing By-law No. 79-323

Respecting:

TAXI-CAB PRIORITY LIST AND PROCEDURES

WHEREAS it is desirable to close the priority list to the entry of new names, and provide for late renewal of names already entered on the list;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sections 20, 21, 22, 23, 24, and 25 of Schedule 4 to Licensing By-law No. 79-323, as amended and consolidated in By-law 93-069, are repealed and replaced with the following:

DEFINITION

20. The "Taxi-cab Priority List", means the list of names, addresses and dates of entry originally adopted by Council on July 25, 1989, as amended and as may be amended from time to time.

PRIORITY ONLY

21. The use of the Taxi-Cab Priority List is as a list of persons currently interested in taxi owner's licences and shall not oblige the City to issue a licence to anyone on the list, regardless of being at the top or the earliest entry, and its use shall be for the order of priority of persons entered on the list only.

CLOSURE OF LIST

22. (1) No names shall be added to the Taxi-cab Priority List, subject to the powers of the Licence Committee under this by-law and the powers of Council, and the Licence Administrator shall not receive or process applications for entry to the list.

TRANSITION

(2) Under the provisions of this by-law in force immediately before the coming into force of this section and notwithstanding subsection (1):

(a) The Licence Administrator may process an individual's application for entry on the Taxi-cab Priority List, where the application was received with the set fee on or prior to October 26, 1993;

(b) an individual may have their application for entry on the Taxi-cab Priority List considered by the Licence Committee where it was filed with the Licence Administrator at the Office of the City Clerk with the set fee on or prior to October 26, 1993; and

(c) the Licence Committee may add the individuals name and address to the Taxi-cab Priority List upon approval of the application above, along with the date the application was received.

RENEWAL

23. (1) Individuals whose names are on the Taxi-cab Priority List shall renew their entry on the list on or before September 30 of each year, by paying the prescribed fee and attending before the Licence Administrator at the Office of the Clerk, to confirm as accurate or amend the details of the entry.

(2) The Licence Administrator may receive and process renewals and fees for individuals on the Taxi-cab Priority List, note any changes, and submit an amended list to the Licence Committee for approval.

(3) An individual who fails to renew their entry on or before September 30, shall file with the Licence Administrator at the Office of the City Clerk a \$100.00 late filing fee and attend before the Licence Administrator at the Office of the Clerk, to confirm as accurate or amend the details of the entry on or before December 31 of that same year, so as to have their entry maintained on the list at the prior position.

(4) Where an individual fails to meet the requirements of this section for renewal, the Licence Administrator shall delete their name from the Taxi-cab Priority List.

ISSUANCE OF TAXI OWNER'S LICENCES

24. (1) When Council gives approval for the issuance of additional taxi owner's licences, the Licence Administrator shall advise the Licence Committee of the numbers of licences to be issued.

(2) The Licence Administrator may then send notices to individuals on the Taxi-cab Priority List in number felt sufficient to complete the issuance of available taxi owner's licences, and arrange for hearings to be held on applications.

25. (1) An individual who is entered on the Taxi-cab Priority List, after being notified by the Licence Administrator under section 24, shall submit an application in compliance with the following:

1. The applicant shall file with the Licence Administrator within 14 days of the date of notice by the Licence Administrator and prior to consideration of the application by the Committee,

(a) a statutory declaration on FORM 1A annexed hereto as Appendix "B" to Schedule 4 that he or she has actually engaged in operating a taxi-cab full-time in the City as,

(i) a taxi-cab owner,

(ii) a licensed taxi-cab driver,

(iii) a taxi-cab dispatcher, or

(iv) a taxi-cab telephone service operator,
for a period of not less than two (2) full and
consecutive years immediately preceding the date
of consideration of the application by the Licence
Committee; and

(b) either,

(i) a certified true copy by Revenue
Canada of income tax returns for two
consecutive years immediately preceding the
date of consideration of the application by
the Licence Committee; or

(ii) any one of, or any combination of the
following in respect of the two consecutive
years immediately preceding the date of
consideration of the application by the
Licence Committee:

1. a certified copy of record of employment,
2. statements of insurable earnings as
issued by the Unemployment Insurance
Commission,
3. statements of contributions to the Canada
Pension Plan as issued by Revenue Canada,
4. monthly charge statements as issued by a
taxi-cab broker operating in the City of
Hamilton,
5. original trip records, or
6. such other or equivalent documentation as
the Licensing Committee may accept.

(2) (a) In the case of a taxi-cab driver, for the
purposes of subsection 25(1)1.(a)(ii),

(i) "one full year" shall mean not less than
100 shifts or the equivalent thereof;

(ii) "shift" shall mean a period of not less
than 12 consecutive hours; and

(b) in the case of a taxi-cab dispatcher or
telephone service operator, for the purposes of
subsection 25(1)1.(a)(iii) and (iv),

(i) "one full year" shall mean not less than
150 shifts or the equivalent thereof;

(ii) "shift" shall mean a period of not less
than 8 consecutive hours.

(3) Upon issuance or denial of a taxi owner's
licence to an individual under this by-law, the Licence
Administrator shall delete the individuals name from the
Taxi-cab Priority List.

(4) The Licence Administrator shall notify an
individual that a taxi owner's licence may be issued, and
the individual shall within fourteen (14) days of the
date of giving notice submit proof of compliance with
paragraphs 3 and 5 of section 12 of this Schedule.

(5) Notwithstanding the provisions of this part,
the Licence Committee may,

(a) delete names of individuals from the Taxi-cab
Priority List, or

(b) add names of individuals to the Taxi-cab
Priority List in order of date of application.

2. In all other respects By-law No. 79-323, as amended and
consolidated in By-law 93-069, is confirmed without change.

PASSED this

day of

A.D. 1993.

City Clerk

Mayor

URBAN/MUNICIPAL
CA4 ON HBL A05
A31
1993



The Urban/Municipal Collection
2nd Floor
Hamilton Public Library

NOTICE OF MEETING

Committee of the Whole
Tuesday, 1993 October 26
5:30 o'clock p.m.
Room 233, City Hall

URBAN M

OCT 1993

GOVERNMENT 300

A handwritten signature in cursive script, appearing to read "S. Hollowell".

S. Hollowell
Acting City Clerk

AGENDA

1. Overview of the 1994 Budgets. (no copy)
2. 1994 Consolidated User Fees.
3. Social Contract Update.
4. Adjournment

NOTE: A light dinner will be provided at 5:00 p.m. in Room 264.

cc: J.G. Pavelka, Chief Administrative Officer
Management Team

/jt

CITY OF HAMILTON

- INFORMATION -

3.

DATE: October 22, 1993

REPORT TO: J. J. Schatz, City Clerk
Committee of the Whole

FROM: J.G. Pavelka, Chairman of Management Team
and Management Team

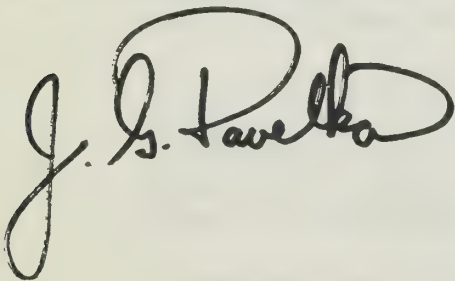
SUBJECT: SOCIAL CONTRACT UPDATE

BACKGROUND:

The City of Hamilton has officially received its 1993 Social Contract target of \$2,475,599 (see attached letter). This amount reflects a 25% reduction of the target which has been deferred until 1996.

There is an opportunity for an additional 25% reduction, however this reduction is in the form of a loan which is to be repaid with interest. It is therefore not as direct a benefit to the Corporation as in the case with the deferral. A loan would only assist in terms of our cash flow and has no effect on the budget. For this reason staff are proposing that the Corporation not pursue the loan.

The Social Contract target for 1994 has not been defined as of this point in time. Apparently there are discussions at the provincial level to determine the method of allocating the 1994 target. As a general rule it would appear that the target will increase by approximately 33% in 1994.

A handwritten signature in black ink, appearing to read "J. G. Pavelka". The signature is stylized with a large, looping initial "J" and a cursive "Pavelka".



Office of the
Minister

Bureau du
ministre

Ministry of
Municipal
Affairs

Ministère des
Affaires
municipales

777 Bay Street
Toronto ON M5G 2E5
(416) 585-7000

777 rue Bay
Toronto ON M5G 2E5
(416) 585-7000

October 5, 1993

Mayor Robert Morrow
The City of Hamilton
City Hall, 71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mayor Morrow:

The Social Contract Secretariat has now reviewed the more than 2,000 plans and agreements submitted by municipalities. As you know, a municipality's plan or agreement must implement the sector framework for the municipality to be eligible to receive a reduced target under the Social Contract Act.

I am pleased to inform you that, as a result of this review, the Secretariat has determined that your municipality is eligible for the reduced target. You should therefore receive the outstanding balance of your 1993 unconditional grant by mid-October.

Your municipality's target is \$3,300,799. Since 25 per cent of that amount, or \$825,200, is being deferred to 1996, your target for 1993 is effectively reduced to \$2,475,599. That means your total 1993 grant entitlement is now \$8,731,593.

Accompanying this letter, you will find additional information about the workings of the Job Security Fund and about how your municipality can have access to a loan of a further 25 per cent of your target. You will also find special instructions for municipalities that contribute to joint boards.

/2



Thank you for your co-operation in helping the government meet its social contract goal for the municipal sector.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ed Philip', with a stylized, cursive script.

Ed Philip
Minister

Attachments

cc: All Clerk-Treasurers/Treasurers

LOAN FUND

The government is making a \$50 million loan fund available to municipalities. This loan is accessible to all municipalities whether or not they are eligible for the reduced target.

Each municipality may apply to the Minister of Municipal Affairs for a long-term loan of up to 25% of its 1993 social contract target amount before the automatic deferral, which is the amount shown on the page 1 of the covering letter. The deadline for submitting a loan request will be November 1, 1993.

This long-term loan will be repaid to the provincial government by reducing the municipality's 1996 unconditional grant payments by the amount of the loan or by other means. Municipalities will also have the option of repaying all or part of the loan in either 1994 or 1995 by notifying the Ministry by March 1st of the year in which payment is to be made.

Beginning on March 31, 1994, interest will be calculated semi-annually on the outstanding balance of the loan at a rate of interest which reflects the borrowing rate on 10-year provincial government bonds at the beginning of each semi-annual period. The interest due will be automatically deducted by the province from the first and last unconditional grant payments in each year.

If your municipality wishes to take advantage of the loan, please let us know in writing. The letter is to be accompanied by a by-law approved by Council for the amount of the loan, up to a maximum of 25% of the overall 1993 social contract target amount. The letter and by-law should be sent to:

Roberta Veley
Director
Subsidies Management Branch
12th Floor
777 Bay Street
Toronto, Ontario
M5G 2E5

Since the loan amount does not increase your 1993 Ontario Unconditional Grant entitlement, it does not affect your operating revenues. This long-term loan is to be reported as a long term liability on your municipality's annual balance sheet. Furthermore, this loan must be considered as a long-term obligation when your municipality updates its annual debt repayment limit prior to approving new long-term obligations.

The reporting treatment of the 25% deferral and the loan amount will be covered in an amendment to the Municipal Financial Reporting Handbook and will be sent out to all municipal auditors and treasurers before the end of 1993. This reporting treatment will also apply to the Financial Information Return.

JOINT BOARDS (excluding District Welfare Boards)

Section 2.1 of the municipal sectoral agreement indicates that individual municipalities that contribute toward joint services are expected to absorb their share of unconditional grant reductions by reimbursing the municipality that reports the related compensation cost in the Financial Information Return.

Section 2.3 of the municipal sectoral agreement also states that each municipality is to determine the distribution of its share of the sector target across all operations in accordance with the Act. Therefore, the following is a suggested approach for the consolidating municipality to determine a social contract target amount for the joint board.

Where a municipality has consolidated the operations of a joint board in its 1992 Financial Information Return, the consolidating municipality could calculate the joint board's share of the social contract target based on the joint board's total compensation costs (excluding compensation costs for employees under \$30,000) relative to the total municipal compensation costs (excluding compensation costs for police, health and assistance to aged and also for employees under \$30,000). The compensation costs used would be those reported on the Compensation Costs Forms submitted to the Ministry in August.

An example is illustrated in Appendix A. In all instances, this excludes District Welfare Boards as adjustments have already been made for them.

A Regulation will be prepared to direct joint local boards to pay their savings to the municipality reporting the compensation in its Financial Information Return.

If you have any questions or would like further information please contact your local Field Management Office or the Municipal Finance Branch at (416) 585-6310.

CITY OF HAMILTON
- RECOMMENDATION -

2.

DATE: October 22, 1993

REPORT TO: J. J. Schatz, City Clerk
Committee of the Whole

FROM: J.G. Pavelka, Chairman of Management Team
and Management Team

SUBJECT: 1994 CONSOLIDATED USER FEES

RECOMMENDATION:

- 1.) That the following criteria for user fees be adopted;
 - a) User fees must be in agreement with the stated objectives of the City of Hamilton Strategic Plan as approved by City Council.
 - b) User fees should apply only to services accessed by an identifiable segment of the community and not be excessive so as to prevent reasonable access to the services.
 - c) User fees should fairly reflect the cost of providing the service and identify levels of subsidy by tax levy.
 - d) User fees are appropriate for services which expedite pending action and for services provided by the City as a result of downloading or a requirement of another level of government.
 - e) User fees are appropriate in order to regulate or control an activity.
 - f) User fees shall be reviewed on an annual basis.
- 2.) That the 1994 Consolidated User Fees for the City of Hamilton Departments as outlined on the attached Schedule No. 1 be approved;
- 3.) That the City Solicitor be authorized to prepare the necessary amending By-Laws to reflect the changes;
- 4.) That the C.A.O. be authorized to prepare a "Request For Proposal For A Consultant To Review User Fee Policies and Practices of the City".

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Schedule 1, if approved, would result in an increase in revenues due to existing fees as adjusted for inflationary and other increases in the amount of \$301,240 and further revenue increases as a result of the new user fees in the amount of \$107,220. The resulting increase totalling \$408,460 in revenue would affect the 1994 budget by a reduction of the mill rate by 0.4 %.

J. G. Pavelka

BACKGROUND:

During the preliminary 1993 Budget presentation to the Committee of the Whole September 25, 1992, the Management Team presented a corporate approach to address the 1993 Budget with one of the approaches being the development of a consolidated user fee listing for all City departments. Both the existing fees and the proposed new fees were developed as a result of the specific departments reviewing their respective fees. The Schedule of Consolidated User Fees was presented to the Committee of the Whole as part of the planned process for the 1993 Current Budget deliberations, but was tabled and requested that the fees be presented to the respective Standing Committees for approval before coming back to the Committee of the Whole. As the Budget process over the past two years has shifted from a Standing Committee- approved process to a Committee of the Whole approved process, it is the belief of Management Team that User Fees should be once again presented directly to the Committee Of the Whole.

In reviewing the User Fees Management Team evolved a set of criteria to help guide the development of User Fees. This criteria will also provide the necessary direction in the development of any new User Fees in the future.

Schedule 1 lists by department the proposed fee increases for 1994 along with comparable rates for 1993, and is further broken down into 1994 Fees For Approval, 1994 New Fees For Approval, and in some instances, 1994 Fees Not Requiring Council Approval. Additionally, where applicable departments have provided a covering letter explaining their rates and fees. Although departmental user fees are being presented on a consolidated basis with the majority of fees being implemented January 1, 1994, there are some rates and fees such as various Recreational fees that are seasonal and may require staggered implementation dates.

The suggested Request for a Proposal for a consultant to address User Fees is a need to ensure that all possible revenue sources are being explored. The rates and fees being proposed are staff recommendations, after consideration of the above criteria as well as giving thought to users, "what the market will bear", and any other factors that play a role in the fee structure. It is the belief of Management Team that further in-depth analysis of rates and fees requires staff time that is currently unavailable. Therefore a consultant is proposed to provide a comprehensive analysis of the user fee structure of the City within acceptable time limits, given limited staff resources and competing demands. It is possible that such a consultant can be retained on a "contingent fee basis" wherein there is no upfront cost to the Corporation but rather a predetermined percentage of any additional revenues would be paid out to the consultant at a future date.

During the 1994 Budget Process, Management Team will be presenting to Council various issues to assist in the development of the Budget and the implementation of the Social Contract including restructuring plans throughout the corporation. There may be additional relevant revenue issues which would have to be addressed at that time as part of the program/service under consideration (e.g. varying levels of By-Law enforcement revenues with varying levels of enforcement).

1994 CONSOLIDATED USER FEES

Index

Building Department.....	1 – 2
Cemeteries Division (Public Works).....	3 – 5
Clerks Department.....	6 – 13
Fire Department.....	14
Local Roads.....	15
Parks Division (Public Works).....	16
Planning Department.....	17 – 21
Property Department.....	22 – 27
Recreation Department.....	28 – 47
Streets and Sanitation Division (Public Works).....	48
Traffic Department.....	49 – 53
Treasury Department.....	54 – 55

Shading represents NEW fees for 1994

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

(1)

USER FEE OR CHARGE

1993

1994

% INCREASE OVER 1993

(4)

EXPLANATION AND/OR COMMENTS

(5)

Increase Due to Fee Inc. (6)

BUILDING DEPARTMENT

1994 FEES FOR APPROVAL :

1. ADMINISTRATION

Administration Fees

- Basic Demolition Fee
- Demolition Fee (non-serviced accessory)

220.00
100.00

220.00
100.00

0%
0% No fee increases.

Photocopies

- First page
- Each additional page

1.00
0.25

1.00
0.25

0%
0%

2. ENGINEERING, ZONING, COUNTER SERVICES

Combined Certification of Zoning Verification /

Property Report

- 48 hour service

80.00
120.00

80.00
120.00

0%
0%

Property Plan (microfiche)

- making copies of drawings on file
- for Single Family
- for others

10.00
40.00

10.00
40.00

0%
0%

Monthly Report

- per month
- annually

3.50
35.00

3.50
35.00

0%
0%

Certificate of Compliance

- Single family dwelling
- 2, 3 or multiple dwelling
- (plus \$30 for each add'l. dwelling)
- Lodging house, 2nd level lodging house or nursing home (plus \$20 per each permitted resident)
- All other buildings
- (plus \$10 per 1,000 sq. ft. in excess of the first 1,000 sq. ft.)

220.00
220.00
220.00
220.00
220.00

220.00
220.00
220.00
220.00
220.00

0%
0%
0%
0%
0%

Lot Grading - ensures compliance that grading is per regulation

- administration fee per lot

125.00

125.00

0%

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE
1993 1994

% INCREASE
OVER 1993

EXPLANATION AND/OR COMMENTS

Increase
Due to
Fee Inc.

BUILDING DEPARTMENT

2. ENGINEERING, ZONING, COUNTER SERVICES

Building Code Act Fines

- maximum fine per individual	50,000.00	50,000.00	0%	No fee increases.	
- maximum fine per corporation	100,000.00	100,000.00	0%	"	

Basic Permit Fee:

Construction up to \$10,000	150.00	150.00	0%	"	
-----------------------------	--------	--------	----	---	--

Additional Permit Fee:

\$10,000 - \$20 million	9.00 /\$1,000	9.00 /\$1,000	0%	"	
\$20 million - \$50 million	9.00 /\$1,000	9.00 /\$1,000	0%	"	
Over \$50 million	9.00 /\$1,000	9.00 /\$1,000	0%	"	

Building Permit fee for construction started prior to the issuance of a building permit:

- work completed prior to permit issuance	Increase in permit fee	Increase in permit fee			
(a) footings and foundations	10%	10%	0%	"	
(b) structural framing	25%	25%	0%	"	
(c) mechanical/electrical	50%	50%	0%	"	
(d) architectural	75%	75%	0%	"	
(e) final	100%	100%	0%	"	
(f) demolition or partial demolition	100%	100%	0%	"	

1994 FEES APPROVED BY COUNCIL:

3. ENGINEERING, ZONING, COUNTER SERVICES

Committee of Adjustment Fee

- variances or permission - ancillary to 1 and 2	250.00	250.00	0%	Effective April 1, 1992 (Council 3/10/92).
family unit uses				
- variances or permission (all other)	350.00	400.00	14%	Stepped schedule of fees. 1/1/93 - \$350.00

1/1/94 - \$400.00 (Council 3/10/92)

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

(1)

(2)

(3)

(4)

(5)

(6)

USER FEE OR CHARGE
1993 1994

% INCREASE
OVER 1993

EXPLANATION AND/OR COMMENTS

Increase
Due to
Fee Inc.

PUBLIC WORKS - CEMETERIES DIVISION

1994 FEES FOR APPROVAL :

1. BURIALS AND REMOVALS

Resident & Realty Taxpayers Non-Residents Resident & Realty Taxpayers Non-Residents

\$25,000

Opening and Closing

- 6 ft. Adult 453.00 524.00 462.00 562.00 2%
- 8 ft. Adult 610.00 678.00 622.00 720.00 2%
- 6 ft. Child 274.00 402.00 75.00 90.00 NEW
- case up to 24" 274.00 402.00 150.00 180.00 -45%
- case 25" to 42" 311.00 441.00 220.00 264.00 -29%
- case 43" to 60" 345.00 498.00 285.00 342.00 -17%
- case 61" to 72" 345.00 498.00 255.00 306.00 -26%
- 8 ft. Child 363.00 551.00 305.00 366.00 -20%
- case up to 60" 147.00 210.00 150.00 180.00 2%
- case 61" to 72" 147.00 210.00 150.00 180.00 2%
- Cremation 96.00 115.00 98.00 118.00 2%
- Cremorial 373.00 438.00 380.00 456.00 2%
- Columbarium
- Mansion of Memories (Stoney Creek)

Lowering (Includes Opening, Removal, Lowering, Closing)

- Adult - 6 ft. to 8 ft. - shell 1,749.00 1,784.00 2%
- Adult - 6 ft. to 8 ft. - concrete vault/crypt 1,456.00 1,485.00 2%
- Child - 6 ft. to 8 ft. - 5 to 10 years 621.00 633.00 2%
- Child - 6 ft. to 8 ft. - under 5 years 521.00 531.00 2%

Removals

- Adult - Shell 1,592.00 1,624.00 2%
- Adult - Concrete vault or crypt 1,299.00 1,325.00 2%
- Child - Shell 550.00 561.00 2%
- Child - Concrete vault or crypt 450.00 459.00 2%
- Cremation 147.00 150.00 2%

2. FOUNDATIONS AND MARKERS

- Foundation - pouring per square inch of surface area (6 feet deep) 0.94 1.41 0%

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE
1993 1994

% INCREASE
OVER 1993

EXPLANATION AND/OR COMMENTS

Increase
Due to
Fee Inc.

(1)

(2)

(3)

(4)

(5)

(6)

PUBLIC WORKS - CEMETERIES DIVISION

2. FOUNDATIONS AND MARKERS

	Resident & Realty Taxpayers	Non- Residents	Resident & Realty Taxpayers	Non- Residents	
- 12" X 10" & Child's 18" X 14"	114.00	177.00	75.00	90.00	-34%
- all other Flat Markers	114.00	177.00	114.00	177.00	0%
- Bronze Vase	114.00	177.00	114.00	177.00	0%
- D.V.A. Upright	96.00	96.00	96.00	96.00	0%
- D.V.A. Flat	96.00	96.00	96.00	96.00	0%

Ministry of Consumer & Commercial Relations
Cemetery Act regulates these charges.

3. SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE

- Adult Single Grave	446.00	551.00	455.00	562.00	2%
- Preferred Single Grave	746.00	922.00	761.00	940.00	2%
- Child - single in a row	- case up to 24"	-	50.00	60.00	NEW
- Child Single Grave	- case up to 60"	107.00	189.00	142.00	2%
	- case 61" to 72"	158.00	207.00	193.00	2%
- Urn Garden	248.00	302.00	253.00	308.00	2%
- Veteran's Grave	424.00		432.00		2%
- Two-Grave Lot	1,711.00	2,133.00	1,745.00	2,176.00	2%
- Two-Grave Lot - Eastlawn	1,396.00	1,744.00	1,424.00	1,779.00	2%
- Three-Grave Lot - Woodland	2,555.00	3,196.00	2,606.00	3,260.00	2%
- Four-Grave Lot - Woodland Section 15	6,187.00	7,729.00	6,311.00	7,884.00	2%
- Eastlawn / Woodland	3,349.00	4,259.00	3,416.00	4,344.00	2%
- Four-Grave Lot - Trinity	3,147.00	3,994.00	3,210.00	4,074.00	2%
- Mansion of Memories - Mausoleum crypt	1,182.00	1,310.00	1,216.00	1,336.00	2%
- Cremorial	-	-	800.00	960.00	NEW
- Columbarium	919.00	1,103.00	950.00	1,140.00	3%

- 40% of Grave and Lot sales goes into Care & Maintenance
- 20% of Mausoleum Crypt sales goes into Care & Maintenance
- 15% of Columbarium and Cremorial sales goes into Care & Maintenance

4. ADDITIONAL SERVICES

- Crypts	272.00	272.00			0%
- Child	285.00	285.00			0%
- Youth	297.00	297.00			0%
- Standard	305.00	305.00			0%
- Intermediate	324.00	324.00			0%
- Oversize					

Contractual 1993, 1994

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE

% INCREASE OVER 1993

EXPLANATION AND/OR COMMENTS

Increase Due to Fee Inc.

(1)

(2)

(3)

(4)

(5)

(6)

PUBLIC WORKS - CEMETERIES DIVISION

4. ADDITIONAL SERVICES

- Misc. - Tent in Cemetery	135.00	138.00	2%		
- Rental of tent outside cemetery	184.00	188.00	2%		
- Transfer fee \$40 + G.S.T.	40.00	40.00	0%		
- Bronze Memorial Plaque for Columbarium Niche	275.00	281.00	2%		
- Companion Vase on Columbarium Niche	54.00	55.00	2%		
- Bronze Memorial Plaque for Cremorial	0.00	125.00	NEW		
- Supply, install and maintain flower bed to maximum three graves - per grave	N/A	100.00	NEW		
- Memorial Tree Planting, 12X10 stone, 6X8 Bronze Plaque 3 lines	0.00	350.00	NEW		
- Memorial Bench - 8X5 Bronze plaque - 3 lines	0.00	500.00	NEW		
- Flower Pot Hanger	0.00	15.00	NEW		
- Family Tree Research - \$2.00 per name					

Note : 40 % of all lot and grave sales goes into Care & Maintenance Fund

5. CARE AND MAINTENANCE FUND

- markers and upright monuments:

- any flat marker under 173 sq. in.	N/C	N/C			
- any flat marker over 173 sq. in.	50.00	50.00	0%		
- any upright monument <= 4 ft. in length/height	100.00	100.00	0%		
- any upright monument over > 4 ft. in length/height	200.00	200.00	0%		

Provincial Regulation - these funds trusted.

\$25,000

CITY OF HAMILTON

- INFORMATION -

DATE: 1993 October 21

REPORT TO: Mayor and Members of Council

FROM: Mr. S. G. Hollowell
Acting City Clerk

SUBJECT: 1994 User Fees

Implementing a user fee of \$20.00 for Birth Registration Letters would generate approximately \$2,500 per year in additional revenue based on the issuance of 125 letters per year.

Implementing a Late Filing Fee of \$40.00 in connection with the Taxicab Priority List would generate approximately \$1,000 per year in additional revenue.

BACKGROUND:

6 Birth Registration Letters are issued by the City Clerks Department as a temporary measure to assist parents of new born children awaiting the formal birth registration documents from the Ministry of the Registrar General, but who may be travelling out of the country with their new born child and require proof of birth to get travel documents. It takes approximately six to eight weeks for the Ministry of the Registrar General to process birth registrations and send them to the parents.

Permitting a person to pay a late renewal filing fee to keep their name active on the Taxicab Priority List will eliminate the need for the Licence Committee to hear appeals from persons who missed the deadline provided they file by December 31st. of the same year. This was approved by the Finance and Administration Committee at its meeting held October 21, 1993.

We are not recommending increases to our existing user fees because they were raised substantially during last years user fee review by City Council and many of them have not been in effect for a full year yet.

S. G. Hollowell

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	(1)	(2)			
		(3)	(4)	(5)	(6)
CLERKS DEPARTMENT					
1994 LICENCE FEES FOR APPROVAL :					
1. LICENCE SECTION					
Adult Entertainment Parlour					
- Owner	4,000.00	4,000.00	0%	No fee increases for Licence section.	
- Operator	1,340.00	1,340.00	0%	" "	
- Attendant - Dancer	200.00	200.00	0%	" "	
Amusement - Places of					
- Amusement Machines	50.00	50.00	0%	" "	
- Maximum	2,670.00	2,670.00	0%	" "	
- Amusement Rides - per day	50.00	50.00	0%	" "	
- Carnival - per duration of event (\$90/day for charities)	500.00	500.00	0%	Provincial limit.	
- Circus - per day (outside) Maximum \$500	100.00	100.00	0%	Provincial limit.	
- per day (within a building)	20.00	20.00	0%	" "	
- Arena	270.00	270.00	0%	No fee increases for Licence section.	
- Billiards - 1 st table	70.00	70.00	0%	" "	
- each add'l. table	20.00	20.00	0%	" "	
- Bingo Parlour - under 300 persons	70.00	70.00	0%	" "	
- 300 - 599 persons	140.00	140.00	0%	" "	
- 600 - 999 persons	200.00	200.00	0%	" "	
- 1000 or more persons	270.00	270.00	0%	" "	
- Bowling Alley					
- 1 st 2 beds	60.00	60.00	0%	" "	
- each add'l. bed	10.00	10.00	0%	" "	
- Public Hall					
- under 300 persons	70.00	70.00	0%	No fee increases for Licence section.	
- 300 - 599 persons	140.00	140.00	0%	" "	
- 600 - 999 persons	200.00	200.00	0%	" "	
- 1000 or more persons	270.00	270.00	0%	" "	

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
CLERKS DEPARTMENT					
1. LICENCE SECTION					
– Roller Skating Rink	270.00	270.00	0%	No fee increases for Licence section.	
– Theatre	270.00	270.00	0%	" "	
Animal Tags	17.00	17.00	0%	Provincial limit.	
– Spayed/neutered	4.25	4.25	0%	" "	
– Seniors/disabled rate	35.00	35.00	0%	" "	
– not spayed/neutered	8.75	8.75	0%	" "	
– Seniors/disabled rate					
Bakeshop	10.00	10.00	0%	Provincial limit.	
Bazaar	10.00	10.00	0%	" "	
– Per Game or Wheel – Monte Carlo	3.00	3.00	0%	" "	
Bill Distributor	50.00	50.00	0%	No fee increases for Licence section.	
Bill Poster	670.00	670.00	0%	" "	
Body Rub Parlour	6,670.00	6,670.00	0%	" "	
– Owner	270.00	270.00	0%	" "	
– Operator	270.00	270.00	0%	" "	
– Attendant					
Building Exterior Cleaners – Sandblasters	130.00	130.00	0%	" "	
Butcher	50.00	50.00	0%	" "	
Cab Broker	400.00	400.00	0%	No fee increases for Licence section.	
– 1st issue of licence	270.00	270.00	0%	" "	
– each yearly renewal					
Cab Driver	50.00	50.00	0%	" "	
– photo every 3 years	10.00	10.00	0%	" "	
– replacement photo	10.00	10.00	0%	" "	
Cab Owner (private)	3,480.00	3,480.00	0%	" "	
– new plate	210.00	210.00	0%	" "	
– each yearly renewal	670.00	670.00	0%	" "	
– transfer of plate					

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
CLERKS DEPARTMENT					
1. LICENCE SECTION					
Cab Owner (public)					
- new plate	610.00	610.00	0%	No fee increases for Licence section.	
- each yearly renewal	340.00	340.00	0%	"	
- transfer of plate	670.00	670.00	0%	"	
Leasing Agreement					
- one car	60.00	60.00	0%	"	
- second car	210.00	210.00	0%	"	
Priority List-Initial application & renewal entitlement - each	60.00	60.00	0%	"	
Cartage Vehicle					
- Dump - 1st issue of licence	290.00	290.00	0%	"	
- Others - 1st issue of licence	70.00	70.00	0%	"	
- add'l. vehicles	70.00	70.00	0%	"	
- each yearly renewal	70.00	70.00	0%	"	
Eating Establishments					
- Lunch Counter	20.00	20.00	0%	Provincial limit.	
- Refreshment Stand	20.00	20.00	0%	"	
- Restaurant	20.00	20.00	0%	"	
- Drive-in Restaurant	20.00	20.00	0%	"	
Flea Market-Owner - 1-20 stands	420.00	420.00	0%	No fee increases for Licence section.	
Foodshop	10.00	10.00	0%	Provincial limit.	
Fresh Fish	50.00	50.00	0%	No fee increases for Licence section.	
Garage - A (Buying, Selling, Storing)	80.00	80.00	0%	"	
- B1 (Combined Engine & Bodywork)	50.00	50.00	0%	"	
- B2 (Engine Work)	50.00	50.00	0%	"	
- B2 (Bodywork)	50.00	50.00	0%	"	
- C	10.00	10.00	0%	Provincial limit.	
- D (Parking Lot)	50.00	50.00	0%	No fee increases for Licence section.	
- E (Car Wash)	10.00	10.00	0%	Provincial limit.	
Livery Vehicle - Class A	210.00	210.00	0%	"	

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE

% INCREASE OVER 1993

EXPLANATION AND/OR COMMENTS

Increase Due to Fee Inc.

(1)

(2)

(3)

(4)

(5)

(6)

CLERKS DEPARTMENT

1. LICENCE SECTION

Livery Vehicle Driver	50.00	50.00	0%	No fee increases for Licence section.	
- photo every 3 years	10.00	10.00	0%	"	
Lodging House	150.00	150.00	0%	"	
Second Level Lodging House	- 1 to 10 persons - 11 persons or more	140.00 280.00	140.00 280.00	0% 0%	" "
Lotteries (Bingo & Raffles)	2% of Prize	3% of Prize			
Marriage Licences	53.00	53.00	0%	Provincial limit.	
Old Gold Dealer	25.00	25.00	0%	Provincial limit.	
Pawnbroker (\$2000.00 Surety Bond Required)	210.00	210.00	0%	No fee increases for Licence section.	
Pedlar - Foot	50.00	50.00	0%	"	
- Vehicles	170.00	170.00	0%	"	
Refreshment Vehicle	- Motor Vehicle - Pedal Vehicle	110.00 110.00	110.00 110.00	0% 0%	" "
Salvage Yard	20.00	20.00	0%	No fee increases for Licence section.	
Second Hand	20.00	20.00	0%	"	
Steam Bath	270.00	270.00	0%	"	
Tow Truck	110.00	110.00	0%	"	
Tow Truck Driver	50.00	50.00	0%	"	
- photo	10.00	10.00	0%	"	
Transient Trader - every 3 months per location	500.00	500.00	0%	Provincial limit.	

Note: Automatic rounding to next \$10.00 on Licences therefore the increases may exceed 5%.

Minimum licence fee of \$50.00 unless there is a Provincial limit in force.

SCHEDULE 1 - CLERKS

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE 1993 1994

% INCREASE OVER 1993

EXPLANATION AND/OR COMMENTS

Increase Due to Fee Inc.

CLERKS DEPARTMENT

SCHEDULE 1 - CLERKS

1. LICENCE SECTION

Wheelchair Accessible Integrated Taxicab Owner
- each yearly renewal

Tobacco Shops

2. ADMINISTRATION

Photocopies
- First page
- Each additional page

Subscription Service

Use of City Hall by Outside Groups

Assessment Searches

Signing of Affidavits

Letters re: Licence Verification

Fireworks Permits

Tag Day Permits

LLBO Municipal Clearance

Car Dealer Certificate

Cab Driver Exam Fee

Smoking Control Signs

1994 NEW FEES FOR APPROVAL :

3. ADMINISTRATION

Birth Registration Letters

4. LICENCE SECTION

Late Filing Fee - Priority List - Taxicabs

\$3,500

\$1,000

\$2,500

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE
1993 1994

% INCREASE
OVER 1993

EXPLANATION AND/OR COMMENTS

Increase
Due to
Fee Inc.

(1)

(2)

(3)

(4)

(5)

(6)

CLERKS DEPARTMENT

SCHEDULE 1 - CLERKS

5. HAMILTON FARMER'S MARKET

Amount of Producers and Dealers Fees

Stand Number	Location				
1 to 8	(Refrigeration Units)	- per month	275.00		N/A Under consideration by Sub-Committee.
		- year	3,300.00		N/A
12 to 18	(Refrigeration Units)	- per month	275.00		N/A
		- year	3,300.00		N/A
22	(Refrigeration Units)	- per month	275.00		N/A
		- year	3,300.00		N/A
9,10,11	(Refrigeration Units)	- per month	230.00		N/A
		- year	2,760.00		N/A
19,20,21	(Refrigeration Units)	- per month	230.00		N/A
		- year	2,760.00		N/A
23 to 46	Ramp	- per day	26.00		N/A
		- per month	160.00		N/A
		- year	1,920.00		N/A
47 to 62a	North Wall - Main Floor	- per day	26.00		N/A
		- per month	160.00		N/A
		- year	1,920.00		N/A
63 to 70	West Wall - Main Floor	- per day	26.00		N/A
		- per month	160.00		N/A
		- year	1,920.00		N/A
71 to 95	South Wall - Main Floor & In Ramp	- per day	26.00		N/A
		- per month	160.00		N/A
		- year	1,920.00		N/A
96 to 100	Loading Docks	- per day	26.00		N/A
		- per month	160.00		N/A
		- year	1,920.00		N/A
101 to 111	East Wall - Main Floor	- per day	26.00		N/A
		- per month	160.00		N/A
		- year	1,920.00		N/A
112 to 143	Stands in Middle (North Side)	- per day	26.00		N/A
		- per month	160.00		N/A
		- year	1,920.00		N/A
144 to 175	Stands in Middle (South Side)	- per day	26.00		N/A
		- per month	160.00		N/A
		- year	1,920.00		N/A

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	(1)	(2)			(6)

CLERKS DEPARTMENT

SCHEDULE 1 - CLERKS

5. HAMILTON FARMER'S MARKET

Amount of Producers and Dealers Fees

Stand Number	Location				
30a,36a,37a,46a		- per day	12.00	N/A	Under consideration by Sub-Committee.
		- per month	89.00	N/A	
		- year	1,068.00	N/A	
		- per day	12.00	N/A	
70a,72a		- per month	67.00	N/A	
		- year	804.00	N/A	
		- per day	26.00	N/A	
		- per month	225.00	N/A	
92		- year	2,700.00	N/A	
		- per month	320.00	N/A	
		- year	3,840.00	N/A	
		- per month		N/A	
176	Coffee Shop Stand	- year	91.00	N/A	
Dealer's Fees Payable in Addition to Fees Payable Above					
to 76 - annual					

Producer's and Dealer's Fees for Adjacent Stands

Fee for one stand when available, immediately adjacent to a stand for which an annual fee is paid in advance - per day

7.00

N/A

"

"

Friday Market Fees (per day)

8 ft. Refrigeration Unit

17.00

N/A

"

"

12 ft. Refrigeration Unit

21.00

N/A

"

"

Regular Stands

12.00

N/A

"

"

Each Additional Stand

7.00

N/A

"

"

Coffee Stand

23.00

N/A

"

"

Daily User's Fee

26.00

N/A

"

"

\$7,000

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE

1993

1994

% INCREASE OVER 1993

EXPLANATION AND/OR COMMENTS

Increase Due to Fee Inc.

(1)

(2)

(3)

(4)

(5)

(6)

FIRE DEPARTMENT

1994 FEES FOR APPROVAL :

1. Fire Inspection Fees

- Copies of Fire Response Reports

17.00

18.00

6%

\$1,500

- Written confirmation as to whether or not there are any outstanding orders against property

27.00

28.00

4%

- Inspection of a property in relation to a proposed purchase or for licence purposes other than municipal licences:

(a) private home day-care facilities

33.00

34.00

3%

(b) 1 and 2 family dwellings

33.00

34.00

3%

(c) other occupancies greater than 4 stories above grade, including L.L.B.O. licence requests

65.00

67.00

3%

(d) other occupancies greater than 4 stories and specialized occupancies ie: malls and industrial complexes will be charged at a rate commensurate with area and/or inspection time involved

102.00
to
510.00

105.00
to
521.00

3%

2%

2. Fire Training Complex

- Based on prior year's costs (plus staff time)

330.00 /day

400.00 /day - FOR 1 DAY 6% - 21%
375.00 /day - IF FOR 2 DAYS

\$250

350.00 /day - IF FOR 3 OR MORE DAYS

1994 FEES NOT REQUIRING COUNCIL APPROVAL :

3. Fire Services - MTO

- \$300/first hour/apparatus
- \$120 each additional half hour or part thereof
- \$300 flat rate fee where services not required nor provided

\$1,750

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
LOCAL ROADS					
1994 FEES FOR APPROVAL:					
1. TRUCK OVERLOAD FEES					
Tractor Trailer	135.00	138.00	2%		
Single Unit Truck	225.00	230.00	2%		

16

CITY OF HAMILTON
- FOR INFORMATION -

DATE: October 21, 1993
(CI-83-B)

REPORT TO: Committee of the Whole

FROM: Mr. J. D. Thoms
Commissioner of Planning and Development

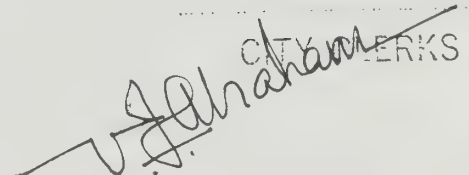
SUBJECT: 1994 Fee Structure for Applications

RECEIVED

OCT 21 1993



J. D. Thoms, M.C.I.P.
Commissioner
Planning and Development Department



V. J. Abraham, M.C.I.P.
Director of Local Planning

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The proposed 1994 fees would result in an estimated annual revenue of \$ 158,790.

BACKGROUND:

Attached is a copy of the suggested 1994 fee schedule for the applications administrated by the Planning and Development Department. Fees have been increased by 2% which is the yearly inflation rate, as permitted by By-law 93-019. In addition, some fees have been readjusted to better reflect actual costs. Some new fees have also been introduced in order to recover expenditures for services which presently have no charges.

PROPOSED 1994 FEE STRUCTURE:

Beyond the inflationary increase of 2%, the following revised and new fees have been identified:

1. Street Name Change Request (revised fee)

The 1993 fee of \$1,500 has been changed to \$3,700 in order to reflect the actual costs of processing requests for street name changes. Included in this cost is an average \$2,000 for advertising; staff costs for reviewing the application; circulation; notice for the public meeting; report preparation; by-law registration; and, new road signs.

2. Rental Housing Protection Act Applications

a) Phase 1 - processing of the application (revised fee)

The Rental Housing Protection Act, 1989 is Provincial legislation which exists to help preserve the existing stock of affordable rental units. It regulates Council approval for changes resulting in the temporary or permanent loss of rental units, such as renovations, conversions to condominium or other uses, demolitions and severance. The legislation first came into effect in 1986, and was revised in 1989.

The current fee for applications made under the Rental Housing Protection Act (RHPA) is \$1,000, which was established by the City in 1986 when the Act first came into force. This includes all steps in the approval process from first receiving the application to the issuance of the Certificate of Approval.

Currently, the Planning costs for processing Rental Housing Protection Act applications is estimated between \$3,000 and \$3,500, on average, depending on the complexity of the application. In addition, there have been an increasing number of inquiries on the Act and planning considerations of the merits of different proposals. This increase in inquiries can be attributed to the rise in the vacancy rate, currently at approximately 2 %, making condominium conversions attractive to building owners.

On this basis it is suggested that the fee for the processing of Rental Housing Protection Act applications be established at a base of \$1,000 plus \$20 per unit to a maximum of 40 units (maximum of \$1,800). This fee would offset costs associated with the staff time and processing costs of the application from its receipt to Council approval. Included in this fee is the costs of circulation of the application, review of the proposal, public notice and the Committee report.

b) Phase 2 - processing of the approval (new fee)

If a Rental Housing Protection Act Application is approved, there is additional processing required. This would include circulation of the decision to key agencies; notification of interested parties; preparation of agreements where required by Council; and the issuance of a Certificate of Approval. On this basis it would be appropriate to charge an additional fee to cover the costs of this phase of the process, similar to what is done for zoning applications.

On this basis it is suggested that an additional fee of \$250 be established for the Phase 2 portion of RHPA applications. With a Phase 2 fee the maximum charge for applications would be \$2,050.

3. Condominium Conversions (New Fee)

It should also be noted that for condominium approvals an application for Plan of Condominium is also required. The City currently charges a \$550 fee for reviewing condominium applications. However, for new condominiums the City acts as a reviewing agency only, with the processing and approval of the application being undertaken by the Region. In the case of condominium conversions, approval rests with the City and in this case all the steps undertaken by the Region become the responsibility of the City. Therefore, it would be appropriate to charge the same

amount as the Region charges for condominium applications, which is \$1,000, plus \$20 per unit to a maximum of 40 units for the draft approval; and an additional \$250 for the processing of final approval and registration. In the case of a RHPA application, issuance of the Certificate of Approval is required. With these fees, the maximum charge would be \$2,050.

4. Neighbourhood Plan Preparation and Modified Neighbourhood Plan Reviews (New Fee)

Over the past few years the Planning and Development Department has had increasing requests from private developers for neighbourhood plan preparation and modified neighbourhood plan reviews. In some instances, the plans have been prepared by the Department while in other instances the plans have been prepared by private consultants. In either case, the Department has incurred substantial costs; up to approximately \$10,000 for the Carter Square Neighbourhood Plan Review. Other recent examples include Carpenter Neighbourhood Plan, Mountview Neighbourhood Plan Review and Falkirk West Neighbourhood Plan Review.

It is proposed that a new fee be established for the preparation of Neighbourhood Plans and modified Plan Reviews initiated by private developers. The proposed fee of \$1,100 is similar to that for rezonings. This fee is consistent with other fees charged by the Department.

No fee should be charged for neighbourhood plan amendments associated with rezonings. These type of amendments incur minimal costs to the Department and are already incorporated into the rezoning process.

CONCLUSIONS:

Based on the foregoing, the attached fee structure should be adopted for applications which are processed by the Planning and Development Department.

c.c. - Allan Ross, Treasury Department

BJ/dkp
B:\FEES2.P&D

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
PLANNING – BY REGION					
1. 1994 FEES FOR APPROVAL:					
Rezoning Application	– Complex	– Phase 1	2%	1994 Estimated Number of Applications	29
	– Phase 2	– Phase 2	2%		22
	– Routine		2%		29
Official Plan Amendment	– Phase 1	1,120.00	2%		7
	– Phase 2	610.00	2%		7
Site Plan Control		1,020.00	2%		40
Approved Site Plan Amendment		410.00	2%		27
Subdivisions	– simple application	550.00	2%		3
	– complex application	1,020.00	2%		1
Condominiums		550.00	2%		3
Revisions to plans of subdivision and condominiums		355.00	2%		1
Draft plan of subdivision extensions		175.00	2%		1
Exempt part lot control		300.00	2%		5
** Street name change		1,500.00	147%		1
Property Report – file searches requested for lawyers with respect to O.P. compliance, Historical Designations, zoning status, etc.		40.00	0%		12
Public Notice Recirculation Fee		250.00	2%		2
** Rental Housing Protection Act – Phase 1		550.00			
		1000.00			4 (30 units)
Plus \$20 per unit to maximum 40 units					

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	(1)	(2)			

PLANNING - BY REGION

1994 NEW FEES FOR APPROVAL:

2. Neighbourhood Plan Preparation and Modified Neighbourhood Plan reviews			1 120.00		1
3. Condominium Conversions	- Phase 1	-	1000.00		2 (40 units)
			Plus \$20 per unit to maximum 40 units		
4. Condominium Conversions	- Phase 2	-	250.00		1
5. Rental Housing Protection Act	- Phase 2	-	250.00		4

** Revised fees

CITY OF HAMILTON

- INFORMATION -

DATE: 1993 October 21

REPORT TO: Committee of the Whole

FROM: D. W. Vyce
Director of Property

SUBJECT: 1994 User Fees and Other Revenues

BACKGROUND:

Management Team, at its meeting of October 13, 1993 decided to depart from the format that was utilized during the 1993 Current Budget process. That is, Departments were requested to submit their recommended user fee structure to the Treasury Department. The latter would then prepare the 1994 Consolidated User Fee Report for presentation to the Committee of the Whole scheduled for October 26, 1993.

The following provides an overview of our 1994 user fees and other revenues.

Schedule F & A - Property (1a) - User Fee

The user fee listed on this schedule is intended to reflect the cost to our Department with respect to its participation in the administration of By-Law Nos. 84-35 (Maintaining Land in a Clean and Clear Condition) and 74-74 (Property Standards). More specifically, in response to "Orders to Comply" issued by the Building Department, our staff will inspect the substandard condition, arrange for an outside contractor to remedy the situation, re-inspect, and prepare the necessary paper work.

For 1994, an increase of 60% is being forecast. The majority of this increase, namely 47.8%, is attributable to anticipated increases in the volume of complaints over 1993. The other 12.2% is the result of a proposed change in the user fee amounts. That is, the component costs of the service provided by our Department were analyzed in order to assess the cost of providing the service to the taxpayer. The result is the proposed fee structure outlined on the attached Schedule F & A - Property Department (1b). The current fee structure has been in effect since circa 1990.

1993 October 21

Finance and Administration Committee

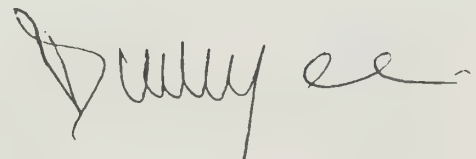
Page 2

Schedule F & A INFO - Property (2) - Other Revenue

This schedule indicates the rent revenue to be received under the existing 3 year lease with several Regional Departments which occupy space in four City owned buildings, including City Hall. It has been assumed that no rent increases will be implemented at the time of renewal. Furthermore, it is being assumed that existing vacancies and those expected in 1994 will either be filled by City departments or other non paying tenants. As a result of these assumptions, rent revenue for 1994 is expected to decrease by a total of \$14,400 or 2.3% over 1993.

Schedule F & A INFO - Property (3) - Other Revenue

23
This schedule lists rent revenue to be received from the rental of various civic properties, the Football Hall of Fame, and the City Hall cafeteria. With respect to the civic properties rented, our Department has previously received Council approval to increase rents for these properties each year, effective January 1, in accordance with the Residential Complex Cost Index issued by the Ministry of Housing. For 1994, the index is at 3.2%. Therefore, you will note that the rents for all properties listed (with some obvious exceptions) are up 3.2% over 1993. However, the uncertainty regarding the future rentability of both 2787 King Street E. (Upper) and 306 Rymal Road E. combined with the loss of 1086 West 5th (to be demolished) and no planned acquisitions for 1994, has resulted in a projected total rent revenue decrease of \$11,240 or 10.1% over 1993.



JC/dcr

c.c. Allan C. Ross, Treasurer

M. Watson, Manager, Real Estate Division

J. Cerio, Manager of Administration, Property Department

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	(1)	(2)			
		(3)	(4)	(5)	(6)

PROPERTY DEPARTMENT

1994 FEES FOR APPROVAL :

ADMINISTRATION

1. Cost of labour / materials :

- \$1.00 to \$99.00	35.00	49.00	40.0%		\$608
- \$100.00 to \$200.00	45.00	49.00	8.9%		
- \$201.00 to \$300.00	55.00	68.00	23.6%		
- \$301.00 to \$400.00	65.00	68.00	4.6%		
- \$401.00 to \$500.00	75.00	68.00	-9.3%		
- \$501.00 to \$600.00	85.00	86.00	1.2%		
- \$601.00 to \$700.00	95.00	86.00	-9.5%		
- over \$700.00	105.00	105.00	0.0%		

\$608

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE 1993	1994 *	% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
(1)	(2)	(3)	(4)	(5)	(6)
PROPERTY DEPARTMENT					
1994 FEES FOR APPROVAL :					
ADMINISTRATION					
1. Cost of labour / materials:					
- \$1.00 to \$200.00		49.00			\$608
- \$201.00 to \$500.00		68.00			
- \$501.00 to \$700.00		86.00			
- over \$700.00		105.00			
					<u>\$608</u>

* proposed user fee reflects projected 1994 salaries & benefits for one Property Control Officer (assuming no increase for 1994 and no lay-off or Social Contract days) plus car allowance.

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE

1993 1994

% INCREASE OVER 1993

EXPLANATION AND/OR COMMENTS

Increase Due to Fee Inc.

(1)

(2)

(3)

(4)

(5)

(6)

PROPERTY DEPARTMENT

1994 OTHER REVENUE:

RENTALS

2. Regional Departments - (3 yr. lease Dec.1/91 - Nov.30/94 *)

City Hall:

Planning Dep't. (7th Floor)	88,245.30	88,245.30	0.0%		
Engineering Dep't. (7th Floor)	40,869.40	40,869.40	0.0%		
" (6th Floor)	129,114.70	129,114.70	0.0%		
" (5th Floor)	41,941.90	41,941.90	0.0%		
" (Basement Vault)	4,400.00	4,400.00	0.0%		
Information Systems	96,144.00	96,144.00	0.0%		
Total City Hall	400,715.30	400,715.30	0.0%		

\$0

Kenilworth Ave. N. Composite Building:

Police Department	0.00	0.00			
Health Department	5,305.30	0.00	-100.0%	Tenant left January 1, 1993	
	5,305.30	0.00	-100.0%	Tenant to vacate October 1, 1993	

NA Tenant left January 1, 1993

Tenant to vacate October 1, 1993

Upper Wentworth Composite Building:

Health Department	9,093.33	0.00	-100.0%	Tenant to vacate January 1, 1994	
-------------------	----------	------	---------	----------------------------------	--

Tenant to vacate January 1, 1994

Health Building:

Social Services Department (1st Floor)	63,664.28	63,664.28	0.0%		
Social Services Dep't. (2nd/3rd Floors)	142,349.90	142,349.90	0.0%		
	206,014.18	206,014.18	0.0%		

Total Annual Rental

621,128.11

606,729.48

-2.3%

\$0

* assumes no increase in rental amounts following expiration of the current 3 yr. lease

CULTURE & RECREATION DEPARTMENT

MEMORANDUM

TO: Committee Of The Whole

YOUR FILE:

FROM: Mr. Bob Sugden
Director of Culture and Recreation
Culture and Recreation Department

OUR FILE:
PHONE: 546-4614

SUBJECT: Departmental User Fees - 1994

DATE: 1993, October 21

RATIONALE

The Culture and Recreation user fee rates increase is based on any an approximate 5% scenario. This is accompanied by new charges developed upon fair market value. Both are intended to advance towards cost recovery for adult programs and services.

The Department continues to follow a social policy which provides subsidy for children's programming and the services for disadvantaged users.

CRITERIA

1. User fees to be in agreement with the Corporate and Department Strategic Plan and Mission Statement.
2. User fees to apply charges to segments and organizations in the community requiring access to these services at a reasonable fee schedule.
3. User fee subsidy available where appropriate.
4. User fees applied to regulate and control an activity.
5. User fees applied to expedite future action where services can be downloaded or adjusted as a requirement of another level of government.
6. User fees to reflect reasonable cost recoveries.

BACKGROUND:

The Department's rates and fees structure is prepared and managed in harmony with our Mission Statement, Goals and Values:

The Department of Culture and Recreation will contribute to the quality of life in Hamilton by providing enhanced cultural and recreational opportunities for our citizens and visitors and "our staff will provide responsive programs/services."

The social policy of the Corporation is to keep rates and fees within the reach of all citizens particularly to support and subsidize youth and childrens programs as the only alternative to anti-social or deviant behaviour. The costs for constructive use of leisure time is a small percentage when compared against the correction and vandalism price society would have to pay.

Our Goals:

- To support and develop voluntarism
- To program and operate our facilities professionally
- To optimize community resources
- To communicate and educate
- To forecast and evaluate our program needs

Our Values:

- Ensure safe facilities and programs
- Ensure we meet or exceed reasonable customer expectations
- Ensure cost management is a focus, based on results
- Ensure potential facilities and services are quantified
- Ensure an increasingly professional, productive and committed workforce
- Ensure an informed, involved and supportive team management
- Ensure our business upholds the highest ethical standards

Our Department's strategic direction can be measured and visible results will determine the effectiveness of our progress. Through clear critical success indicators, we will share the success of this plan.

Incorporated in the report are proposed "new categories" and are identified as such.

Increases and new categories are recommended in order to enhance revenues and work towards achieving cost recovery.

NEW CHARGES

Recreation

- Sackville Hill

All Fees - See Recreation in Schedule 1

- Globe Park Diamonds - Lighting Charges

- Flat fee per diamond, per date \$ 54.50

- Community Recreation Centres

- Rental rates - Community Rooms

- Daytime Self-Contained Programs \$ 15.00 Per Half-Day

- Commercial Groups - Per Hour \$ 40.00

- Seasonal Rates (10 week duration) \$125.00

- Huntington Park Slide Rental \$ 25.00 Per Hour

- Plus Pool Rental Rate

- Private/Semi-Private Swimming Instruction

- Private - Per person/Per Lesson \$ 20.00

- Semi-Private - Per Person/Per Lesson \$ 10.00

- Mountain Skating Centre

- Memberships

- Family \$ 45.00

- Single Parent \$ 35.00

- Adult \$ 30.00

- Youth (13 to 17 Yrs.) \$ 15.00

- Seniors & Disabled \$ 15.00

- Replacement \$ 3.00

- Admission \$ 1.00

- Daytime Self-Contained Programs \$ 15.00 Per Half-Day

- Commercial Groups - Per Hour \$ 40.00

- Twin Pad Arena

- Adult Per Hour

- Non-Prime Time (6:00 am - 5:00 pm) \$130.00

- Prime Time (5:00 pm - Midnight Weekdays) \$160.00

- Prime Time (8:00 am - 11:00 pm Weekends) \$160.00

- Youth Per Hour

- Non-Prime Time (6:00 am - 5:00 pm) \$100.00

- Prime Time (5:00 pm - Midnight Weekdays) \$100.00

- Prime Time (8:00 am - 11:00 pm Weekends) \$100.00

Recreation

- Twin Pad Arena
 - Municipal Arenas - Summer Rink Surfaces
 - Adult Tournament \$ 50.00
 - Youth Tournament \$ 35.00
- Board of Education - Rentals - Schools
 - Youth Groups & Community Councils
 - Weekdays/Per 4 Hour Block \$ 25.00
 - Saturdays Per Hour + 1 Hour \$ 23.59
 - Sundays/Holidays Per Hour + 1 Hour \$ 31.46
- Museums - Admission Fee - Dundurn Castle - Family \$ 15.00

Rates and fees are generally consistent and comparable, or lower than neighbouring municipalities.

Golf Course rates and fees are currently under review and will be forwarded at a later date. The Golf Sub-Committee has prepared recommendations and staff are preparing alternatives for golf course operations.

The Hamilton Board of Education have not yet determined charges for community use of schools for the later part of next year. We are recommending increases to be implemented in January of 1994, in an attempt to reduce our costs, however, the fees may require further review in September of 1994, if the Board passes on higher costs and/or cutbacks.

Our philosophy of promoting a healthy, physical and mental attitude for our society and particularly our youth, by attracting participation in programs and services, is reflected by sustaining a reasonable level of subsidization, in both direct and indirect facilitation of programs, facilities and services. This includes the community use of schools for after hour activities.

BS:mp

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE

1993

1994

% INCREASE OVER 1993

EXPLANATION AND/OR COMMENTS

Increase Due to Fee Inc.

(1)

(2)

(3)

(4)

(5)

(6)

RECREATION DEPARTMENT

1994 FEES FOR APPROVAL:

1. SENIOR CITIZENS CENTRES

Central YWCA	- Memberships	12.00	15.00	25%	Rates Are Rounded Off And Include G.S.T.	\$11,940
Main/Hess Complex	- Memberships	12.00	15.00	25%	Central YWCA have maintained membership numbers.	
Ottawa St. YWCA	- Memberships	12.00	15.00	25%	The Ottawa Street YWCA & Main - Hess Centre membership numbers have declined.	
Sackville Hill	- Memberships	12.00	15.00	25%	Sackville Centre has doubled membership expectations.	

Non-resident Fees Add 50%

Sackville Hill

- Meeting Rooms	- Single	0.00	45.00 per hour		Lack of available rental time due to program demand.	\$2,000
- Commercial	- Double	0.00	70.00 per hour		Space is utilized almost to maximum, therefore little opportunity to generate revenue from rentals.	
- Non-Profit	- Single	0.00	30.00 per hour			
- General Public	- Double	0.00	50.00 per hour			
- Non-Profit	- Single	0.00	20.00 per hour			
- Sr. Membership	- Double	0.00	35.00 per hour			
- Non-Profit	- Single	0.00	25.00 per hour			
- Com. Organizational	- Double	0.00	40.00 per hour			

- Multi-Purpose Room						
- Commercial	- All Business	0.00	100.00 per hour	Minimum 3 Hrs.		
- Non-Profit	- General Public	0.00	75.00 per hour	Minimum 3 Hrs.		
- Non-Profit	- Sr. Membership	0.00	75.00 per hour	Minimum 2 Hrs.		
- Non-Profit	- Community Org.	0.00	85.00 per hour	Minimum 3 Hrs.		
- Card Shows	- Commercial/Gen. Pub.	0.00	20.00 per table	Minimum 25 Tables		
- Card Shows	- Sr. Membership	0.00	15.00 per table			
- Tables @ Sackville Hill Bazaars		0.00	15.00 per table			
- Additional Charges - (On Request), (\$50.00 Security Deposit Required)						
- TV/VCR		0.00	10.00			
- Audio System		0.00	10.00			
- Overhead Projector		0.00	10.00			
- Bingo Machine		0.00	10.00			
- All Sports Equipment		0.00	5.00			

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

(1)

USER FEE OR CHARGE

1993 1994

(2) (3)

% INCREASE OVER 1993

(4)

EXPLANATION AND/OR COMMENTS

(5)

Increase Due to Fee Inc.

(6)

RECREATION DEPARTMENT

2. CHEDOKE GOLF CLUB & PRO SHOP

- Golf Memberships

PLAN A

Rates Are Under Review

- Adult	595.00
- Adult Non-Resident	695.00
- Couples	1,100.00
- Couples Non-Resident	1,200.00
- Family	1,225.00
- Family Non-Resident	1,325.00
- Juniors	235.00
- Juniors Non-Resident	335.00
- Intermediate	380.00
- Intermediate Non-Resident	480.00
- Pensioners	380.00
- Pensioners Non-Resident	570.00

- Golf Memberships

PLAN B

Rates Are Under Review

- fee as indicated plus 1/2 of applicable green fee rate	
- Adult	200.00
- Adult Non-Resident	300.00
- Couples	370.00
- Couples Non-Resident	470.00
- Family	405.00
- Family Non-Resident	505.00
- Juniors	75.00
- Juniors Non-Resident	275.00
- Intermediate	125.00
- Intermediate Non-Resident	225.00
- Pensioners	125.00
- Pensioners Non-Resident	225.00

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
RECREATION DEPARTMENT					
2. CHEDOKE GOLF CLUB & PRO SHOP					
- Green Fees					
- Martin - 18	19.00			Rates Are Under Review	
- Martin - Pensioners / Junior	12.00			"	
- Martin - Twilight	10.00			"	
- Beddoe - 18	23.00			"	
- Beddoe - Pensioners	16.00			"	
- Beddoe - Twilight	14.00			"	
- Concession Fee	24,310.00			Pending Tendering Process	
- Between Tiffany's and City of Hamilton from March 1, 1992 to February 28, 1993 (contract expires February 28, 1994)					
- Locker Fee - for members only	20.00			Rates Are Under Review	
3. CHEDOKE WINTER SPORTS PARK					
- Tow Fee					
- Adults (18 & over)					
- Full Day	13.00	13.00	0%	Due To Substantial Increase During The '93 Season	
- Half Day	11.00	11.00	0%	Recommending No Increase For '94	
- Youth (under 18 yrs.), Special Needs and Seniors				1993 projected revenues did not reflect the rate increases, therefore, revenues exceeded projections.	
- Full Day	12.00	12.00	0%	"	
- Half Day	10.00	10.00	0%	"	
- Ski Lift Packages (10 tickets)					
- Adult	90.00	90.00	0%	"	
- Youth	80.00	80.00	0%	"	
- Chedoke Ski School					
- Adults/Youth	24.00	24.00	0%	Due To Substantial Increase During The '93 Season	
- Child	18.00	18.00	0%	Recommending No Increase For '94	

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE
1993 1994

% INCREASE
OVER 1993

EXPLANATION AND/OR COMMENTS

Increase
Due to
Fee Inc.
(6)

(1)

(2)

(3)

(4)

(5)

RECREATION DEPARTMENT

3. CHEDOKE WINTER SPORTS PARK

- Chedoke Racing School (all participants)	45.00	45.00	0%	*	*
- Hamilton Association for Disabled Skiers (flat fee)	1000.00	1000.00	0%	*	*

4. KING'S FOREST GOLF CLUB & PRO SHOP

- Golf Memberships

PLAN A

- Adult	700.00
- Adult Non-Resident	800.00
- Couples	1,260.00
- Couples Non-Resident	1,360.00
- Family	1,400.00
- Family Non-Resident	1,500.00
- Juniors	305.00
- Juniors Non-Resident	405.00
- Intermediate	400.00
- Intermediate Non-Resident	500.00
- Pensioners	400.00
- Pensioners Non-Resident	500.00

Rates Are Under Review

- Green Fees

- 18 hole	25.00
- 9 hole	16.00
- Pensioners	18.00
- Twilight	16.00

- Concession Fee	25,520.00
- Locker Fee - for members only	20.00

Pending Tendering Process
Rates Are Under Review

4. KING'S FOREST GOLF CLUB & PRO SHOP

- Golf Memberships

PLAN B

- Adult	235.00
- Adult Non-Resident	335.00
- Couples	420.00
- Couples Non-Resident	520.00
- Family	470.00
- Family Non-Resident	570.00

Rates Are Under Review

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
RECREATION DEPARTMENT					
4. <u>KING'S FOREST GOLF CLUB & PRO SHOP</u>	PLAN B				
- Golf Memberships					
- Juniors	78.00				
- Juniors Non-Resident	178.00				
- Intermediate	135.00				
- Intermediate Non-Resident	235.00				
- Pensioners	135.00				
- Pensioners Non-Resident	235.00				
5. <u>GLOBE PARK DIAMONDS</u>					\$8,730
- Rental Fee					
- Weekday per hour	9.00	9.45	5%	Rates Are Rounded Off & Include G.S.T.	
- Weekend per hour	10.50	11.00	5%	5% represents an affordable increase to user groups, facilities are utilized to the maximum.	
- Holidays per hour	11.75	12.35	5%	Recommend a steady increase in rates.	
- Tournament (Flat Fee)					
- Daily until 6:00 PM	260.00	273.00	5%		
- Daily until dusk	325.00	341.25	5%		
- Lighting Charges					
- Flat Fee Per Diamond, Per Date		54.50			
6. <u>SPORTS FIELDS - Outside Fields</u>					
- Youth Groups	1.12	2.00	79%	Rates Are Rounded Off And Include G.S.T.	
	(per diamond, per date)	(per diamond, per date)		\$5.00 charged to all groups for unlimited number of dates and diamonds, prior to 1990.	
	(max. per diamond \$50.00) (max. per diamond \$70.00)			Per diamond, per date fee was initiated in 1990.	
- Adult Groups	5.62	10.00	78%	The "maximum" rate is intended to continue to subsidize youth activities.	
	(per diamond, per date)	(per diamond, per date)			
	(max. per diamond \$350.00) (max. per diamond \$375.00)				

SCHEDULE 1 - RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	(1)	(2)			
			(4)	(5)	(6)
RECREATION DEPARTMENT					
7. MAJOR PARK FACILITIES					
(Bernie Arbour, Brian Timmis, Mohawk Sports Complex, H.A.A., Victoria Park)					
- Semi-Pro		Day	Lights	Day	Lights
- Game		32.40	37.70	34.00	39.60
- weekend (or 15%)		44.20	51.90	46.40	54.50
- Practice		20.70	23.50	21.75	24.70
- weekend		23.50	24.21	24.70	27.20
- Amateur Adult					
- Game		15.50	20.70	16.30	21.75
- weekend (or 15%)		20.70	30.00	21.75	31.50
- Practice		10.50	19.50	11.00	20.50
- weekend		15.45	19.50	16.20	20.50
- Minor / Youth					
- Game		14.20	18.20	14.90	19.10
- weekend (or 15%)		15.50	20.70	16.30	21.75
- Practice		6.50	11.70	6.80	12.30
- weekend		11.70	15.20	12.30	15.95
- Boards of Education - Public & Separate					
- Game		19.50		20.50	
- Practice		7.70		8.10	
- Track & Field					
- Daily Rate		220.00		231.00	
- School Rates		33.00		34.65	
Tournament Application Deposit Will Be 10% Of The Total Rental Cost (Non - Refundable)					
8. Special Events Permit Fee					
- Category 1 : festivals two days or more		100.00 per day		125.00 per day	
- Category 2 : Community Events of one day		20.00 per day		25.00 per day	
- Category 3 : Sports Events in both multi or single sport programs		according to rental policy		according to rental policy	
9. Rental - Park & Pavilion					
- Dundurn Park - Pavilion		30.00		31.50	
- open space - permitted		35.00		36.75	
- open space - permitted		10.00		15.00	

Increase Due to Fee Inc.

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	(1)	(2)			
			(3)		(5)
RECREATION DEPARTMENT					
9. Rental – Park & Pavilion					
– Bandshell rental – Gage Park	– weekdays	45.00	47.25	5%	*
	– weekends	50.00	52.50	5%	*
– Tennis Court Rentals		3.15 first hr.	5.00 first hr.	59%	
		2.15 ea. add. hr.	4.00 ea. add. hr.	86%	
10. IVOR WYNNNE STADIUM					
Rental – Stadium – Soccer / Football					
	Day	Lights	Lights		\$2,480
– Semi-Pro (Games)	– Weekdays	92.10 or 15%	148.00 or 15%	5%	Rates Are Rounded Off And Include G.S.T.
	– Weekends	92.10 or 15%	148.00 or 15%	5%	5% represents an affordable increase to user groups.
	– Holidays	97.30 or 15%	162.20 or 15%	5%	User groups only of hourly rental groups.
– Semi-Pro (Practices)	– Weekdays	18.20	19.10	5%	minor sports championships, pre-season soccer practices.
	– Weekends	20.70	21.75	5%	Board(s) of Education have reduced hours from previous years for sports, such as, soccer, field hockey, and football.
	– Holidays	23.50	24.70	5%	
– Amateur Adult (Games)	– Weekdays	54.40 or 15%	57.10 or 15%	5%	Stadium is under utilized, no major tenant, and loss of revenue from pro – football.
	– Weekends	57.20 or 15%	60.05 or 15%	5%	
	– Holidays	60.90 or 15%	63.35 or 15%	5%	
– Amateur Adult (Practices)	– Weekdays	13.00	13.65	5%	*
	– Weekends	19.50	20.45	5%	*
	– Holidays	23.50	24.65	5%	*
– Minor (Games)	– Weekdays	45.40 or 15%	47.65 or 15%	5%	*
	– Weekends	47.90 or 15%	50.30 or 15%	5%	*
	– Holidays	49.70 or 15%	52.20 or 15%	5%	*
– Minor (Practices)	– Weekdays	12.20	12.80	5%	*
	– Weekends	15.50	16.25	5%	*
	– Holidays	18.30	19.20	5%	*

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE

% INCREASE OVER 1993

EXPLANATION AND/OR COMMENTS

Increase Due to Fee Inc.

RECREATION DEPARTMENT

10. IVOR WYNN STADIUM

- Boards of Education (Public & Separate)	62.40	65.50	5%	"	"
- Regular Season Games	64.60	67.85	5%	"	"
- Playoff Games					
- Exhibition Games	25.90	27.20	5%	"	"

Lighting Charges

- Semi Pro	- Full Lights (8 banks)	224.60	235.85	5%	Rates Are Rounded Off And Include G.S.T.
	- 1/2 Lights (4 banks)	114.30	120.00	5%	"
	- 1/4 Lights (2 banks)	51.90	54.50	5%	"
- Amateur Adult	- Full Lights (8 banks)	190.60	200.15	5%	"
	- 1/2 Lights (4 banks)	97.30	102.15	5%	"
	- 1/4 Lights (2 banks)	51.90	54.50	5%	"
- Bd. of Education	- Full Lights (8 banks)	166.20	174.50	5%	"
	- 1/2 Lights (4 banks)	72.60	76.20	5%	"
	- 1/4 Lights (2 banks)	44.20	46.40	5%	"

Note: All above fees are hourly charges

11. Rental - Stadium - Special Events

- Community Organizations	896.50	941.30	5%	"	"
- No gate tickets	780.00	819.00	5%	"	"
- With ticket sales					

12. Rental - Stadium - Special Events

- Non - Profit Organizations	2,699.70	2,834.70	5%	"	"
(all proceeds - Charitable causes)					

13. Profit - Commercial Organizations

Negotiable

14. Green Room - Reception Area

	34.65	36.40	5%	"	"
--	-------	-------	----	---	---

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
RECREATION DEPARTMENT					
15. COMMUNITY RECREATION CENTRES					\$1,770
– Universal Memberships					
– Family	70.00	70.00	0%	Rates are rounded off and include G.S.T.	
– Single Parent Family	55.00	55.00	0%	Trend has been decline in family memberships,	
– Adult	50.00	55.00	10%	interest appears to be in individual categories, and daily admissions.	
– Youth (17 and under)	10.00	15.00	50%	Department will launch a marketing campaign to promote family activities and membership availability.	
– Seniors & Disabled	12.00	15.00	25%		
– Replacement	3.00	3.00	0%		
– Instructional	10.00	10.00	0%		
(Special Interest Programs)					
Non-Residential Rate – premium of 50% per current policy.				Aquatic and pool demand will off – set membership shortfalls in the meantime.	
Aquatic fee (course) – per session (with membership)	10.00	15.00	50%	Fees are unrealistically low for aquatic programs. Demand suggests market can bear increases. Recommendations are comparable to other municipalities of similar size.	\$72,280
Advanced Aquatic Fee – (Bronze & Bronze Cross)	10.00	25.00	150%		
– Admission Fees					
– Family	4.40	5.00	14%	Aquatic fees (card) has increased 50% over the last two years.	
– Single Parent Family	4.00	4.40	10%		
– Adult (18 and up)	3.00	3.00	0%		
– Youth (13 to 17 Years)	2.00	2.00	0%		
– Seniors & Disabled	2.00	2.00	0%		
– Rental Rates					
– Community Rooms					
– Youth Groups – per hour	15.00	15.00 (2 hrs./\$25.)	0%	Due to program demand limited opportunity to generate revenue from rentals.	
– Adult Groups – per hour	20.00	20.00 (2 hrs./\$30.)	0%		
– Card Shows – per hour	40.00	Negotiable			
(per table)	10.00	Negotiable			
– Daytime Self-Contained Programs	0.00	15.00 (per 1/2 day)		Non-Profit & Service Agencies i.e. Catholic Social Services	
– Commerical Groups ~ per hour	0.00	40.00		New Category	

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
RECREATION DEPARTMENT					
15. COMMUNITY RECREATION CENTRES					
- Rental Rates					
- Community Rooms					
- Seasonal Rates (10 Week Duration)	0.00	125.00		New Category	
- Youth Groups	0.00	125.00			
- Adult Groups					
- Gymnasium - Card Shows - per hour (per table)	50.00	Negotiable		Rates are rounded off and include G.S.T.	
	10.00	Negotiable			
- Pools (2 lifeguards) - per hour	75.00	75.00 (prime time)	0%	Mon. - Fri. after 4:30 p.m., Sat. & Sun. - All Day	
	0.00	50.00 (non-prime time)		Mon. - Fri. 9:00 am - 4:00 pm	
- additional lifeguard - per hour	15.00	15.00	0%	1993 Total Budget was based on 1992 Board of Education usage. In early 1993 the Board of Education reduced hours of use by approximately 1/2.	
- Hot Pool rental				1994 projections are based on 1993 projected actuals and current Board of Education usage.	
- per hour - 1 lifeguard	20.00	25.00	25%	We anticipate a further reduction of hours in 1994, however, have not received confirmation from the Board of Education.	
- additional lifeguard - per hour	15.00	15.00	0%		
- Huntingdon Park Slide Rental	0.00	25.00 (per hr. + pool rental rate)		New Category	
- Private/Semi-Private Swimming Instruction					
- Private	0.00	20.00 per person/per lesson maximum 4 lesson/session		New Category	\$10,000
- Semi-Private	0.00	10.00 per person/per lesson maximum 4 lesson/session		Sessions are 45 minute duration. Lessons will be booked at a central location to better utilize pools with available time.	
- CENTRAL MEMORIAL/HUNTINGTON PARK RECREATION CENTRES				Unattached To A Board(s) Of Education Facility Staffing Costs During Rental Periods Are Minimal This Category Was Highly Subsidized.	
- Youth Groups - per 4 hour period - Grandfathered Rate	7.86	10.00	27%	Recommending 1993 youth groups be grandfathered under the 1993 rate plus a nominal increase until September 1994.	
- weekends/holidays	25.84	30.00	16%	Recommending adult groups be "grandfathered" under the 1993 rental rate plus a nominal increase	
- Adult Groups - Grandfathered Rate	38.20 (per 4 hours)	15.00 (per hour)			
- weekends/holidays	71.90 (per 4 hours)	20.00 (per hour)			

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE

% INCREASE OVER 1993

EXPLANATION AND/OR COMMENTS

Increase Due to Fee Inc.

RECREATION DEPARTMENT

until September 1994.

15. COMMUNITY RECREATION CENTRES

- Youth Groups (All New Groups)	- weekdays	7.86 (per 4 hour)	10.00 (per hour)	New recommended rate will be applicable to all new youth rental groups & commencing September 1994 for all grandfathered groups.
	- weekends/holidays	25.84 (per 4 hour)	15.00 (per hour)	
- Adult Groups (All New Groups)	- weekdays	38.20 (per 4 hours)	20.00 (per hour)	New recommended rate will be applicable to all new adult rental groups & commencing September '94 for all grandfathered groups.
	- weekends/holidays	71.90 (per 4 hours)	25.00 (per hour)	

16. OUTDOOR POOLS - June 1 - Labour day

- Universal Memberships	- Family	20.00	20.00	0%	Rates Are Comparable - Recommend No Increase For 1994. Revenue increased over 1993 projections due to good weather, therefore, predict a slight increase in 1994.
	- Single - Parent Family	15.00	15.00	0%	
	- Adult	10.00	10.00	0%	
	- Youth	6.00	6.00	0%	
	- Seniors & Disabled	6.00	6.00	0%	
	- Replacement	1.00	1.00	0%	

Non-Residential Rate - premium of 50% per current policy.

- Admission Fees

- Family	3.00	3.00	0%	*	*
- Single Parent Family	2.00	2.00	0%	*	*
- Adult (18 and up)	1.50	1.50	0%	*	*
- Youth (13 to 17 Years)	1.00	1.00	0%	*	*
- Seniors & Disabled	1.00	1.00	0%	*	*

17. COMMUNITY ARENAS

- Universal Memberships

- Family	35.00	35.00	0%	Rates are rounded off and include G.S.T.	
- Single Parent Family	25.00	25.00	0%	All arenas with the exception of the Mountain Skating Centre.	
- Adult	20.00	20.00	0%	Rates are lower than Skating Centre due to the decrease of public open skating periods.	
- Youth (13 - 17 Years)	10.00	10.00	0%		
- Seniors & Disabled	12.00	15.00	25%		
- Replacement	3.00	3.00	0%		
- Instructional	10.00				

Eliminate Category

Not Utilized

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE

% INCREASE OVER 1993

EXPLANATION AND/OR COMMENTS

Increase Due to Fee Inc.

RECREATION DEPARTMENT

10. MOUNTAIN SKATING CENTRE

Memberships

- Family	0.00	45.00		
- Single Parent Family	0.00	35.00		
- Adult	0.00	30.00		
- Youth (13-17 Years)	0.00	15.00		
- Seniors & Disabled	0.00	15.00		
- Replacement	0.00	3.00		
- Admission Fee	0.00	1.00		

For Universal Membership Card Holders

Non-Residential Rate - premium of 50% per current policy.

- Admission Fees

- Family	4.40	5.00	14%	
- Single Parent Family	4.00	4.40	10%	
- Adult (18 and up)	3.00	3.00	0%	
- Youth (13 to 17 Years)	2.00	2.00	0%	
- Seniors & Disabled	2.00	2.00	0%	

- Community Room Rentals

- Youth Groups - per hour	15.00	15.00 (2 hrs./\$25.)	0%	
- Adult Groups - per hour	20.00	20.00 (2 hrs./\$30.)	0%	
- Card Shows - per hour (per table)	40.00	Negotiable		
- Daytime Self-Contained Programs	10.00	15.00 (per 1/2 day)		
- Commercial Groups - per hour	0.00	40.00		
- Serving alcoholic beverages - per hour	40.00	40.00	0%	
- Selling alcoholic beverages - per hour	50.00	50.00	0%	

19. MUNICIPAL ARENAS (October - April)

- Adult - per hour	80.00	85.00	6%	
- Non-prime time (6:00 AM - 6:00 PM)				
- Prime time (6:00 PM - Midnight Weekday (8:00 AM - 11:00 PM Weekends))	120.00	130.00	8%	

Rates Are Rounded Off And Include G.S.T.
Recommend that prime time begin at 5 pm on weekdays for any new private rentals and minor sports groups requesting additional time to their regular allotment. to pay any overtime labour costs incurred.

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
RECREATION DEPARTMENT					
19. MUNICIPAL ARENAS (October - April)					
- Youth - per hour					
- Non - prime time (6:00 AM - 6:00 PM)	65.00	70.00	8%	The Department will continue its philosophy in providing quality affordable youth programs.	
- Prime time (6:00 PM - Midnight Weekday (8:00 AM - 11:00 PM Weekends))	75.00	80.00	7%		
20. - TWIN PAD ARENA - Year Round					
- Adult - per hour				New Category	
- Non - prime time (6:00 AM - 5:00 PM)	0.00	130.00		.	.
- Prime time (5:00 PM - Midnight Weekday (8:00 AM - 11:00 PM Weekends))	0.00	160.00		.	.
- Youth - per hour					
- Non - prime time (6:00 AM - 5:00 PM)	0.00	100.00		.	.
- Prime time (5:00 PM - Midnight Weekdays) (8:00 AM - 11:00 PM Weekends)	0.00	100.00		.	.
- SPECIAL GROUPS					
- Minor Sports Recreational	30.00	35.00	17%	Includes games & practices (excludes Hub practices)	
- Minor Sports - Reps/Selects	45.00	50.00	11%	Includes Hub practices.	
- Minor Sports - Tournaments	65.00	70.00	8%	Any Groups Using Periods Of Time That Results in Premium Pay For Staffing Must Assume These Charges	
- Revenue - Charitable	110.00				
- Revenue / Admission HIAC	220.00				
- Junior A, B and C games	320.00				
		350.00 or 15% of gate	9%		
21. MUNICIPAL ARENAS (Summer Ice - May - October)					
- Minor Hockey	75.00	85.00	13%	Rates Are Rounded Off And Include G.S.T.	
- Adult - per hour					
- Non - prime time	90.00	115.00	28%	.	.
- Prime time	130.00	150.00	15%	.	.

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
RECREATION DEPARTMENT					
21. MUNICIPAL ARENAS (Summer Ice - May - October)					
- Youth - per hour					
- Non-prime time	85.00	100.00	18%	" "	
- Prime time	85.00	100.00	18%	" "	
- Summer Rink Surfaces					
- Adult Groups	35.00	45.00	29%	" "	
- Youth Groups	20.00	30.00	50%	" "	
- Sports groups with admission	95.00	100.00	5%	" "	
- Community groups					
- no admission or revenue	35.00	35.00	0%		
- Adult Tournament		50.00			
- Youth Tournament		35.00 New Category		Rental Groups Will Be Required To Pay Any Overtime Labour Costs Incurred	
- Events Selling Alcohol	50.00	60.00 New Category	20%		
22. BOARD OF EDUCATION - Community use of schools					
Rental - Schools					
- (A) Youth Groups (subsidized rate) - per 4 hour period - grandfathered (includes children, youth, Cubs, Scouts, Brownies, Guides)					\$11,440
- weekdays	7.86	10.00	27%	This category is highly subsidized, groups are grandfathered until September 1994, when the (B) rates will be in effect.	
- weekends/holidays	25.84	30.00	16%	Budget provides for subsidization for existing user groups only during weekday usage.	
- adult organizations (not subsidized)				Budget does not provide for subsidization of schools on weekends, due to Board of Education staffing charges.	
- weekdays/per 4 hour block	38.20	38.20	0%		
- Saturday per hour + 1 hour	23.59	23.59	0%		
- Sunday/holidays per hour + 1 hour	31.46	31.46	0%		
- community councils (subsidized rate) - per 4 hour period - grandfathered				Adult organizations are not subsidized and reflect fees paid by the Department to the Hamilton Board of Education.	
- weekdays	13.48	20.00	48%		
- weekends	25.84	35.00	35%		
St. John's Ambulance (fully subsidized)	FREE	FREE			

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
RECREATION DEPARTMENT					
22. BOARD OF EDUCATION -- Community use of schools					
Rental -- Schools					
-- (B) Youth Groups & Community Councils					
-- weekdays/per 4 hour block	0.00	25.00			
-- Saturdays per hour + 1 hour	0.00	23.59			
-- Sundays/holidays per hour + 1 hour	0.00	31.46			
23. COMMUNITY CENTRES					
Barton Community Centre					\$5,500
-- Private / Commercial	75.40	40.00 per hour		Comparable Rates With Other Department Facilities	
-- Adult Groups	34.90	20.00 per hour			
-- Youth Groups	6.70	15.00 per hour			
Normanhurst Community Centre					
-- Private / Commercial	34.9	40.00 per hour			
-- Adult Groups	34.90	20.00 per hour			
-- Youth Groups	6.80	15.00 per hour			
-- Seniors Groups	2.00	3.00	50%		
-- Kiwanis Club	6.80	10.00	47%		
Eastmount Community Centre					
-- Private / Commercial		40.00 per hour			
-- Adult Groups	34.90	20.00 per hour			
-- Youth Groups		15.00 per hour			

\$107,640

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE

% INCREASE OVER 1993

EXPLANATION AND/OR COMMENTS

Increase Due to Fee Inc.

(1)

(2)

(3)

(4)

(5)

(6)

CULTURE DIVISION

24. MUSEUMS

Admission Fee - Dundurn Castle

- Adult
- Senior
- Student
- Child (6 to 14 Years)
- Family

Pre-Booked		Pre-Booked	
Group	General	Group	General
Visitors	Admission	Visitors	Admission

4.00	4.50	4.50	5.00
2.50	2.75	3.20	3.50
2.50	2.75	3.20	3.50
1.50	1.75	1.80	2.00
			15.00

\$35,720

Admission Fee - Hamilton Military Museum

- Adult
- Senior
- Student
- Child (6 to 14 Years)
- Programme - Student (14 and under)
- Programme - Student (over 14)

Pre-Booked		Pre-Booked	
Group	General	Group	General
Visitors	Admission	Visitors	Admission

1.55	1.75	1.55	1.75
1.35	1.50	1.35	1.50
1.35	1.50	1.35	1.50
1.10	1.25	1.10	1.25
1.50	1.65	1.60	1.75
1.70	1.90	1.70	1.90

Admission Fee - Whitehern

- Adult
- Senior
- Student
- Child (6 to 13 Years)
- Programme - Child

2.00	2.25	2.25	2.50
1.55	1.75	1.80	2.00
1.55	1.75	1.80	2.00
1.10	1.25	1.35	1.50
1.35	1.50	1.60	1.75

\$1,150

Admission Fee - Children's Museum

- Adult - with children
- Adult - without children
- Child (3--13, also adults seniors, students unaccompanied by a child)
- Child - in group (programme)

Free

Free

2.00	2.00	-	2.25
2.00	2.00	-	2.25
			2.25
1.50	1.50	1.50	2.00

33%

Admission Fee - Hamilton Museum of Steam & Technology

- Adult
- Senior
- Student
- Child (6 to 14 Years)
- Programme
- Membership Fees - The Pumphouse Association (non-profit organization)
- regular membership

Free

Free

2.00	2.25	2.25	2.50
1.55	1.75	1.80	2.00
1.55	1.75	1.80	2.00
1.35	1.50	1.35	1.75
1.35	1.50	1.35	1.50
10.00	10.00	10.00	0%

\$1,000

\$37,870

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
PUBLIC WORKS - STREETS AND SANITATION					
1994 FEES FOR APPROVAL :					
1. ADMINISTRATION					
Administration Fee - fee for work done for Region	cost plus 7 %	cost plus 7 %			
Administration Fee - Lawyers	16.00	21.00	31 %		
- administration/processing fee charged to legal firms to verify status of snow - clearing/weed - cutting charges					
2. ROADWAY TREE TRIMMING					
Tree Trimming & Removal					
- Tree trimming (Hamilton Hydro)	33.00	33.00	0 %	Based on contractual arrangement between the City and Hamilton Hydro.	
- Tree Removal (Hamilton Hydro)	127.00	127.00	0 %		
- Tree trimming/removal for public	cost	cost			
3. BANNER INSTALLATION	215.00	230.05	7 %		
4. LITTER BY - LAW ENFORCEMENT					
Fines - City - maximum	2,000.00	2,000.00	0 %		
5. Catchbasin Opening (lost item retrieval) (Note: No fee charged for Police/S.P.C.A.)		20.00	100 %		

USER FEE PACKAGE: ON-STREET PARKING PERMIT FEES

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The proposed increase in on-street parking permits will result in additional revenues of approximately \$20,000 in 1993 (if implemented immediately) and \$30,000.00 annually thereafter.

BACKGROUND:

At the special City Council meeting of 1993 July 27, the matter of user fees associated with on-street parking permits was referred back for further review. While increased fees have been rejected on previous occasions, the realities of the present economic situation and the trend to user-pay financing merit a review of this situation.

There are presently approximately 650 reserved parking permits and 1200 time limit exemption permits in effect. The monthly charge for on-street parking permits is presently \$1.00 per month for reserved permits and \$2.00 per month for time limit exemption permits.

The rationale for raising these charges is a) that \$1.00 or \$2.00 a month is low compared to other cities, b) that the rates have not been raised since introduction in 1978, and c) that the rates should be high enough to discourage people who have off-street parking and do not need permits from purchasing them, in order to reserve the on-street parking spaces for those who have no alternative parking areas.

A. Comparative Charges in Other Municipalities

A 1992 survey of nine Ontario Municipalities revealed that only Brantford, St. Catharines, Ottawa, Niagara Falls and Toronto have permit systems. The following are the charges for permits in each of these cities.

-	Brantford	=	\$2.00 per month (\$24.00 per year)
-	St. Catharines	=	\$2.08 per month (\$25.00 per year)
-	Ottawa	=	\$42.00 per month or \$20.00 per month depending on the area of the City (\$504.00/\$240.00 per year)
-	Niagara Falls	=	\$12.50 per month (\$150.00 per year)
-	Toronto	=	\$5.00 per month for residents without off-street parking and \$25.00 per month for residents who have off-street parking available (\$60.00/\$300.00 per year)

B. Permit Cost Compared to Inflation

The permit system was introduced in 1978. At that time both types of permits cost \$2.00 per month. In 1986, the cost of the reserved permit was actually reduced to \$1.00 per month. The Consumer Price Index has grown 244% since 1978. Based on the C.P.I., today's permit costs should be almost \$5.00 per month.

HLS/ca

USER FEE PACKAGE: RESIDENTIAL BOULEVARD PARKING

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The proposed residential boulevard parking fee will result in additional revenues of \$88,000 (net) in 1994, \$98,000.00 in 1995 and an amount as indexed in following years.

BACKGROUND:

At the special City Council meeting of 1993 July 27, the matter of user fees associated with on-street parking permits and residential boulevard parking was referred back to the Transport and Environment Committee for further review. While increased fees have been rejected by the Committee on previous occasions, the realities of the present economic situation and the trend to user-pay financing merit a review of this situation.

There are presently approximately 2700 residential boulevard parking agreements in effect. The current annual cost to residents with residential boulevard parking spaces is \$20.00 (\$10.00 for insurance and a \$10.00 billing charge).

There are several rationales for recommending a \$3.00 per month charge for residential boulevard parking. First, it should cost at least as much to rent a portion of the boulevard which is reserved for parking by the abutting homeowner, as it does for a resident to obtain an on-street parking permit which does not necessarily guarantee a parking space in front of the premises. Second, there may be a point of view that the finances of the City should be run on a business-like basis such that assets which are owned by all citizens (road allowances) should be leased at a reasonable rate rather than at no charge. Finally, the cost of running the program of inspecting and approving new and revised parking areas should be recovered in the long term from rental charges.

The Manager of the Real Estate Division of the Property Department has reviewed current residential property values. The value of a residential parking space is calculated to be \$14.00 to \$15.00 per month. While in some cases only a portion of the parking space is on public property, and the value assigned would be lower in those cases, \$3.00 per month is still less than the rental value of the City portion in almost all cases.

HLS/ca

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE
1993 1994

% INCREASE
OVER 1993

EXPLANATION AND/OR COMMENTS

Increase
Due to
Fee Inc.

(1) (2) (3) (4) (5) (6)

TRAFFIC DEPARTMENT

1994 FEES FOR APPROVAL:

1. ADMINISTRATION

Administration Fee - work done for Region

cost plus 7 %

cost plus 7 %

0% No fee increases.

Traffic Counts - photocopies of counts provided to the public

- per sheet

1.00

1.00

0% " "

Traffic Manuals

- traffic control manuals issued by the M.T.O.
(sold to contractors etc. by Traffic at cost)

10.00

10.00

0% " "

2. TRAFFIC BY-LAW ENFORCEMENT

Fines - City

- Overtime Parking

- exceeded paid limit

8.00

12.00

8.00

12.00

0% " "

- exceeded hour limit

8.00

12.00

8.00

12.00

0% " "

- Unauthorized Parking

- Municipal property

20.00

30.00

20.00

30.00

0% " "

- no valid permit

20.00

30.00

20.00

30.00

0% " "

- private property

20.00

30.00

20.00

30.00

0% " "

- improperly parked

20.00

30.00

20.00

30.00

0% " "

- Parking Prohibited

- signed area

20.00

30.00

20.00

30.00

0% " "

- sidewalk

20.00

30.00

20.00

30.00

0% " "

- boulevard

20.00

30.00

20.00

30.00

0% " "

- through street

20.00

30.00

20.00

30.00

0% " "

- heavy vehicle

20.00

30.00

20.00

30.00

0% " "

- facing wrong way

20.00

30.00

20.00

30.00

0% " "

- fire route

20.00

30.00

20.00

30.00

0% " "

- loading zone

20.00

30.00

20.00

30.00

0% " "

- more than 12" from curb

20.00

30.00

20.00

30.00

0% " "

- Stopping Prohibited

- signed area

50.00

75.00

50.00

75.00

0% " "

- taxi area

50.00

75.00

50.00

75.00

0% " "

- fire route

50.00

75.00

50.00

75.00

0% " "

- bus stop

50.00

75.00

50.00

75.00

0% " "

- commercial vehicle loading zone

50.00

75.00

50.00

75.00

0% " "

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION

USER FEE OR CHARGE
1993 1994

% INCREASE
OVER 1993

EXPLANATION AND/OR COMMENTS

Increase
Due to
Fee Inc.

(1)

(2)

(3)

(4)

(5)

(6)

TRAFFIC DEPARTMENT

1994 FEES FOR APPROVAL (continued) :

2. TRAFFIC BY-LAW ENFORCEMENT

Fines - City

	Early Payment	Set Fine	Early Payment	Set Fine	
- Stopping Prohibited					
- within 20' of crosswalk	50.00	75.00	50.00	75.00	0% No fee increases.
- obstructing driveway	50.00	75.00	50.00	75.00	0% " "
- within 10' of hydrant	50.00	75.00	50.00	75.00	0% " "
- Snow Route					
- declared snow emergency	35.00	50.00	35.00	50.00	0% " "
- Handicapped Space					
- no permit displayed	100.00	150.00	100.00	150.00	0% " "

3. RESIDENTIAL BOULEVARD PARKING

Handling Fee (\$10 goes toward Rec.-Insurance Prem. below)

20.00 20.00

0% " "

Application (approved) fee

30.00 30.00

0% " "

Recovery-Insurance Premium (see below) - encroachment insurance

10.00 10.00

0% " "

4. ON-STREET PARKING

Meter Fees - meter fees from various districts

0.50 - 1.00

0.50 - 1.00

0% " "

On Street Parking Permit Fees

- per permit (must live on street)	12.00	36.00
- time-limit permit (must live in area)	24.00	36.00
- where there are time-limit restrictions on a particular street		

200% Increase fee to \$3.00/month, and increase annually by 50% the C.P.I. (G.S.T. extra).

\$30,000

5. COMMERCIAL BOULEVARD PARKING

Annual Fees

- per space or part of a space per year for each of the first two spaces	59.57	60.70
- per space or part of a space per year for each space over two and up to a total of ten spaces	29.79	30.36

2% To be increased annually by the C.P.I. G.S.T. extra. (Council approved)

\$650

2% To be increased annually by the C.P.I. G.S.T. extra. (Council approved)

Processing Fees-\$10 goes towards Rec.-Insurance

178.73

182.12

2% To be increased annually by the C.P.I. G.S.T. extra. (Council approved)

\$10

SCHEDULE OF USER FEES AND OTHER REVENUES

SCHEDULE OF USER FEES AND OTHER REVENUES					
DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	(1) 1993	(2) 1994			
TRAFFIC DEPARTMENT					
1994 FEES FOR APPROVAL (continued) :					
5. <u>COMMERCIAL BOULEVARD PARKING</u>					
Recovery - Insurance Premium (see below) - - encroachment insurance	10.00	10.00	0%	No fee increases.	
6. <u>APPROACH APPROVALS</u>					
Processing Fees	50.00	50.95	2%	To be increased to equal the costs incurred. Increased annually by the C.P.I. (G.S.T. extra) Council approved.	\$30
7. <u>PRIVATE PARKING LOTS</u>					
Processing Fees	47.43	48.33	2%	To be increased annually by the C.P.I. (G.S.T. extra) (Council approved).	\$80
- inspection and administration costs associated with the signing and enforcement of private parking lots					
8. <u>PROSECUTIONS</u>					
Parking - Traffic Court	5.00	5.00	0%	No fee increases.	
- Appeals Court	40.00	40.00	0%	" "	
9. <u>STATUS INQUIRIES</u>					
	40.00	40.00	0%	" "	
1994 FEES FOR APPROVAL :					\$30,770
10. <u>RESIDENTIAL BOULEVARD PARKING</u>					
Annual Rental Fee	-	38.00	100%	New fee. To be increased annually by the C.P.I. (G.S.T. extra)	\$98,000

CITY OF HAMILTON
- INFORMATION -

DATE: October 21, 1993

REPORT TO: J.J. Schatz, City Clerk
Committee of the Whole

FROM: Allan C. Ross
Treasurer

SUBJECT: 1994 TREASURY DEPARTMENT USER FEES

FINANCIAL IMPLICATIONS:

The 1994 Treasury user fee revenues would decrease by a total amount of \$6,770, or -2.0% over the 1993 budget level. This amount is broken down to reflect an estimated increase on the 1993 User Fee revenues in the amount of \$17,980 for proposed increases in the existing fees and the balance of \$1,250 for the proposed new user fee. Without the fee increases, revenues would actually decrease by \$26,000.

BACKGROUND:

For the majority of existing fees, the proposed rate increases reflect a 2% inflationary factor which is then rounded to the next dollar. **The rounding results in the higher percentage increases.** This adjustment is consistent with the Council direction approved November 27, 1990 concerning these fees. The increase for Tax Registrations is 5% due to the doubling of the fee charged to municipalities by the province for commencing the registration process. The Tender and Processing Fee established last year is increasing for the rate of inflation as well as for inclusion of the G.S.T. in the fee.

For the proposed new Mortgage Letter fee, issues were identified within the Treasury Department that are administrative procedures responding to specific needs. This proposed fee addresses confirmation to Mortgage companies that taxes have been paid on specific properties. It is anticipated that there will be between 50 to 75 requests in 1994. As an entry level for this fee, the recommendation is to charge \$10.00 rate for 0 to 2 properties, \$20.00 for 3 to 10, \$50.00 for 11 to 50 properties, and an additional \$50.00 for each 50 property increment, as many of the requests can have anywhere from 1 to 200 properties listed each time. It should be noted that these rates apply to any written requests for this information, however any verbal requests either in person or on the telephone are FREE for up to 3 properties, and any requests over 3 properties will be required to pay the proposed fee.

The overall reduction in user fee revenues for Treasury, despite these fee increases, results from reduced levels of activity for tax certificates and subdivision compliance letters due to economic conditions in the community.

Allan C. Ross

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)

TREASURY DEPARTMENT

1994 FEES FOR APPROVAL :

1. SUNDRY REVENUE

Subdivision Compliance Letter	23.00	24.00	4%	Council 11/27/90. " that these fees be increased annually	\$2,280
Local Improvement Enquiries	23.00	24.00	4%	for the rate of inflation rounded to the next dollar, to offset the City's administrative and processing costs in handling these items". (Rounding)	
N.S.F. Cheques	16.00	17.00	6%		\$1,350

2. TAXATION

Tax Certificates	20.00	21.00	5%	" . Rounding.	\$8,160
Recoveries - Tax Registrations	585.00	615.00	5%	" . Increase partially necessary due to Provincial fee increase.	\$6,000
Prior Year's Tax Analysis	26.00	27.00	4%	Council 10/29/91. "Be increased annually for the rate of inflation rounded to the next dollar".	\$40
Multiple Assessment Listing	10.00	11.00	10%	Rate of inflation is anticipated to be approximately 2% for 1994, and when fees are rounded to next dollar may exceed the rate of inflation.	\$440
Income Tax Letter	10.00	11.00	10%	" . " .	
Paid-In-Full Letter	10.00	11.00	10%	" . " .	
Hydro Add-On to Tax Roll - administration fee	10.00	11.00	10%	" . " .	\$370

3. PURCHASING DIVISION

Tender and Proposal Processing Fee	25.00	27.00	8%	Increased by rate of inflation plus now includes G.S.T.	\$840
- non-refundable charge for issuance of tenders/proposals over \$50,000					\$840

1994 NEW FEES FOR APPROVAL :

4. TAXATION

Mortgage Letter	0 to 2 properties	\$10.00	100%	New fee proposed.	\$1,250
	3 to 10 properties	\$20.00			
	11 to 50 properties	\$50.00			
	Each additional 50 properties	\$50.00			

URBAN/MUNICIPAL
CA4 ON HBL AOS
A31



The Urban/Municipal Collection
2nd Floor
Hamilton Public Library

1993

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1993 November 9
7:30 o'clock p.m.
Council Chambers, City Hall

J. J. Schatz
City Clerk

AGENDA

1. *National Anthem*

2. *Opening Prayer*

Reverend Barry Bain
St. Giles United Church

3. *Certificates of Appreciation*

- (a) *Presentation of Commemorative Plaque to the City of Hamilton by Therese Quigley, Chairperson for the Organizing Committee - World University Games Womens Soccer McMaster University*
- (b) *Glenn Mallory for Musical Contribution to Civic Events*
- (c) *Hammant Car and Engineering Ltd., - Bill Crosbie, Sales Manager, Custom Products Division*

URBAN M
NOV 1993
GOVERNMENT
ITS

4. *Proclamation*

"Unity in Diversity Week" - Baha'i Community in Hamilton - 1993 November 8th-14th

5. *Minutes*

1993 October 26

6. *Petitions and Correspondence*

7. *Reports of the Standing Committees*

(a) *Transport and Environment Committee*

(c) *Planning and Development Committee*

(e) *Licensing Committee*

(h) *Finance and Administration Committee*

8. *Notices of Motion for Next Meeting*

9. *First Reading of the Bills*

10. *Second Reading of the Bills - Committee of the Whole*

11. *Third Reading of the Bills*

12. *Question Period*

13. *Adjournment.*

MINUTES

1993 October 26

Minutes of Hamilton City Council
1993 October 26
7:30 o'clock p.m.
Council Chamber

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,
Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The Council meeting commenced with the playing of the National Anthem.

* * * * *

Reverend Alan MacPherson, Central Presbyterian Church led Council in prayer.

* * * * *

Mayor R. M. Morrow presented Certificates of Appreciation to the following:

- (a) Debra Vivian and David Dayler for their creative leadership in organizing the very successful 20th Anniversary Gala Celebration of Hamilton Place.
- (b) Carmen Nemeth and Cheryl York for their creative leadership and dedication in organizing Arts Awareness Month.
- (c) Greg Bartolotta, Manager, Beaver Lumber, Hamilton Mountain, Jake den Hollander, Manager, Beaver Lumber, Hamilton West, and Enzo Bonitatibus, Manager, Beaver Lumber, Hamilton East in recognition of the excellent support the Beaver Lumber Stores have given to the Hamilton Tiger Cats.

* * * * *

Mayor R. M. Morrow proclaimed the following:

- (a) "Schizophrenia Awareness Month" - 1993 October
- (b) "International Lupus Awareness Month" - 1993 October
- (c) "United Nations Week" and "Disarmament Week" - 1993 October 24-31

* * * * *

The minutes of the regular meeting held 1993 September 28 and the minutes of the special meeting held 1993 October 5 were adopted as circulated.

CORRESPONDENCE

1. Letter from the City of Burlington dated 1993 October 13 regarding LaSalle Park Pavilion Structural Restoration Project.

Referred to the Parks and Recreation Committee.

2. Application dated 1993 September 30 from Dr. Anthony Tartaglia, Hamilton, Ontario for removal of the "H" Holding provision from the "H" (Community Shopping and Commercial, etc.) District modified for property at 682 Upper James Street, Hamilton, Ontario.

Received.

3. Application dated 1993 October 5 from Nicolo Caluori, Ancaster, Ontario for a further modification to the "G" (Neighbourhood Shopping Centre, etc.) District regulations for property located at No. 930 Upper Paradise Road, Hamilton, Ontario.

Received.

4. Application dated 1993 October 5 from DiCenzo Construction Company Limited, (Antonio DiCenzo, President), Hamilton, Ontario for changes in zoning from "R-4" (Small Lot Single-Family Detached) District to "RT-30" (Street Townhouse) District, modified (Blocks "1" and "4"); "RT-20" (Townhouse Maisonette) District, modified to "R-4" (Small Lot Single-Family Detached) District (Block "2"); and "RT-20" (Townhouse Maisonette) District, modified to "RT-30" (Street Townhouse) District, modified (Block "3"), for lands located west of Upper Gage Avenue and north of Terni Boulevard, Hamilton Ontario.

Received.

5. Application dated 1993 October 18 from 645437 Ontario Limited, c/o A. Barzilav, Don Mills, Ontario for a further modification to the established "HH" (Restricted Community Shopping and Commercial) District regulations for property located at No. 998 Upper Wentworth, Hamilton, Ontario.

Received.

6. Application dated 1993 October 19 from P. X. Dermody Funeral Home, Hamilton, Ontario for removal of the "H" - Holding provision from the "H" - "H" (Community Shopping and Commercial etc. Holding) District, modified, for property located at No. 796 Upper Gage Avenue, Hamilton, Ontario.

Received.

7. Letter dated 1993 October 6 from J. D. Thompson, Acting City Clerk regarding an objection to By-law No. 93-185 respecting property at the rear of 1011 Queenston Road (South of Berkindale Drive).

No Action.

8. Letter dated 1993 October 6 from J. D. Thompson, Acting City Clerk regarding an objection to By-law No. 93-190 respecting property at 236-250 Rymal Road West.

No Action.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Mayor's Report, and the Finance and Administration Committee be now considered in Committee of the Whole with Alderman Anderson in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - THIRTEENTH REPORT
--

Section 23 Re: West Central Region Branch - MOEE - Storage of PCB by Management Board Secretariat to their Hamilton Psychiatric Hospital PCB Storage site

It was moved by Alderman Jackson and seconded by Alderman Merling that Section 23 of the Thirteenth Report for 1993 of the Transport and Environment Committee be referred back and that appropriate staff be in attendance when this matter is reconsidered.

CARRIED.

* * * * *

Section 25 (a) (ii) Re: Hamilton Harbour Commissioners - Install railway spur lines to serve Pier 15 - Annual Fee

It was moved by Alderman Merling and seconded by Alderman Jackson that Section 25 (a) (ii) of the Thirteenth Report of the Transport and Environment Committee for 1993 be amended by deleting the amount of \$6,742.31 and substituting the amount of \$692.33 in lieu thereof.

CARRIED.

PARKS AND RECREATION COMMITTEE - SEVENTEENTH REPORT

Section 12 Re: Molson Restaurant Three Pitch League to sell beer at Globe Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Jackson -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - FIFTEENTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - SIXTEENTH REPORT

Section 2 Re: Zoning Application 93-27: J. Mota - 17296 Canada Limited (Imperial Oil) - 528 Mohawk Road East.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Charters. -1.

CARRIED.

* * * * *

Section 4 Re: Hamilton Disabled Programme - grants of up to 50% to a maximum of \$5,000.

It was moved by Alderman Drury and seconded by Alderman Wilson that Section 4 of the Sixteenth Report of the Planning and Development Committee for 1993 be referred back to the Planning and Development Committee. **CARRIED.**

* * * * *

Re: Rule No. 8 of Procedural By-law - Demolition Permit - 131 East 19th Street

It was moved by Alderman Drury and seconded by Alderman Wilson that Rule No. 8 of the Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution regarding the issuance of a demolition permit for 131 East 19th Street. **CARRIED.**

* * * * *

Section 5 Re: Demolition Permit - 131 East 19th Street

It was moved by Alderman Drury and seconded by Alderman Wilson that Section 5 of the Sixteenth Report of the Planning and Development Committee for 1993 be amended by adding Subsection (d) as follows:

(d) 131 East 19th Street. **CARRIED.**

MAYOR'S REPORT - THIRD REPORT

FINANCE AND ADMINISTRATION COMMITTEE - TWENTIETH REPORT

Section 1 (b) Re: By-law 93-069: Taxicab Priority List - late renewal filing fee

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps, -1.

CARRIED.

* * * * *

Section 17 Re: General Grants Policy - Grant Budget Allocation for "Special Projects" and grant amount limit.

It was moved by Alderman Charters and seconded by Alderman Jackson that Section 17 of the Twentieth Report of the Finance and Administration Committee be amended as follows:

1. That subsection (a) be amended by increasing the figure "5%" in the first line to "10%".
2. That subsection (b) be amended by reducing the figure "20%" in the third line to "10%".

LOST

* * * * *

Section 17 (a) Re: General Grants Policy - Grant Budget Allocation for "Special Projects"

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Charters, Jackson. -2.

CARRIED.

* * * * *

Section 17 (b) Re: General Grants Policy - Grant Amount Limit

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Anderson, D'Amico, Ross. -13.

NAYS: Mayor Morrow, Aldermen Charters, Jackson. -3. **CARRIED.**

Section 17 (g) Re: General Grant Policy Re: Discontinuing receiving comments from Arts Advisory

Recorded vote.

YEAS: Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Mayor Morrow, Aldermen Kiss. -2. **CARRIED.**

* * * * *

Section 18 Re: Appointment - City's Insurance Brokers of Record

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Agostino. -1. **CARRIED.**

* * * * *

Section 19 Re: City's Retirement Incentive to the Hamilton Professional Firefighters Association - Letter of Understanding

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 19 of the Twentieth Report for 1993 of the Finance and Administration Committee be deleted, and the following inserted in lieu thereof:

19. That the Letter of Understanding dated 1993 October 25 between the Hamilton Professional Fire Fighters Association and the City of Hamilton, as herewith attached and marked Appendix "B", be approved. **CARRIED.**

* * * * *

Section 20 Re: Minister of Revenue - Sale of Trading Cards

It was moved by Alderman Agostino and seconded by Alderman Eisenberger that Section 20 of the Twentieth Report for 1993 of the Finance and Administration Committee be amended to add the following as Sub-Section (c):

- (c) That the City Solicitor be directed to pursue Private legislation, if necessary to prohibit the sale of these Trading Cards in the City of Hamilton.

CARRIED.

* * * * *

Section 22 Re: Liquor Licence Board of Ontario - Scotsman Pub - 96 George St. - Soccer Sporting Events.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Wilson. -1.

CARRIED.

* * * * *

Section 24 (b) Bill H-58: A By-law to Authorize West Mountain Bocce Program

It was moved by Alderman Copps and seconded by Alderman Morelli that Section 24 (b) of the Twentieth Report for 1993 of the Finance and Administration Committee be referred back.

CARRIED.

ACTING MAYOR

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Mayor's Report, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-77, A-78, A-79.

C-74, C-75, C-76, C-77, C-78, C-79, C-80.

H-57, H-59.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Anderson in the chair. (second reading).

A-77, A-78, A-79.

C-74, C-75, C-76, C-77, C-78, C-79, C-80.

H-57, H-59.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-77, A-78, A-79.

C-74, C-75, C-76, C-77, C-78, C-79, C-80.

H-57, H-59.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-77, A-78, A-79.

C-74, C-75, C-76, C-77, C-78, C-79, C-80.

H-57, H-59.

1993 October 26

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:10 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

S. G. Hollowell, Acting City Clerk
1993 October 26

CORRESPONDENCE

Correspondence:

1. Application dated 1993 November 2 from Mr. Jerry Amatangelo (In trust), Hamilton, Ontario for changes in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District for Block "1" and to "G-1" (Designed Shopping Centre) District for Block "2", for lands located at the north-west corner of Garth Street and Rymal Road West, Hamilton, Ontario.

Recommendation:

Be Received.

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FOURTEENTH** Report for 1993 and respectfully recommends:

1. (a) That a "No Parking" regulation be implemented on the north side of Loconder Drive between Upper Gage Avenue and Queen Victoria Drive; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
2. (a) That a "No Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the north side of Bendamere Avenue between Geneva Drive and Delmar Drive and on the south side between the east property line of No. 151 Bendamere Avenue and Columbia Drive (west leg); and
(b) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Bendamere Avenue between Delmar Drive and Briarwood Crescent and on the south side between Columbia Drive (west leg) and Briarwood Crescent; and
(c) That the City Traffic By-law 89-72 be amended accordingly.
3. (a) That the existing "No Stopping Anytime" regulation on the south side of Ninth Avenue opposite Fernwood Crescent be revised such that the regulation will commence at a point 48 feet east of Fernwood Crescent and extend to a point 42 feet west of Fernwood Crescent; and
(b) That a "No Stopping, Wheel Chair Loading Only, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Ninth Avenue commencing at a point 48 feet east of Fernwood Crescent and extending to a point 20 feet easterly therefrom; and
(c) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Ninth Avenue adjacent to Fernwood Park School be revised, such that the regulation commences at a point 68 feet east of Fernwood Crescent and extends to a point 129 feet easterly therefrom; and
(d) That the City Traffic By-law 89-72 be amended accordingly.

4. (a) That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on both sides of Rowanwood Street between Beach Road and the southerly end be replaced with a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
5. (a) That a "No Stopping" regulation be implemented on the north side of South Bend Road West, commencing at Collier Crescent (west leg) and extending to a point 97 feet easterly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
6. (a) That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Afton Avenue between Norway Avenue and Lorne Avenue; and
(b) That the City Traffic By-law be amended accordingly.
7. (a) That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Caroline Street South between Bold Street and Duke Street be replaced with a "Permit Parking" regulation; and
(b) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to each of the first fifteen eligible applicants residing in one, two or three family dwellings abutting Caroline Street South between Bold Street and Duke Street to a maximum of fifteen permits; and
(c) That the City Traffic By-law 89-72 be amended accordingly.
8. (a) That a "No Parking" regulation be implemented on the south side of Royal Avenue commencing at Emerson Avenue and extending to a point 67 feet easterly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
9. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Twin Crescent and Twin Court between Acadia Drive (north leg) and Acadia Drive (west leg); and
(b) That the City Traffic By-law 89-72 be amended accordingly.

10. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of East 37th Street commencing at a point 232 feet north of the north curb line of Seventh Avenue and extending to a point 80 feet northerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
11. (a) That a "No Stopping" regulation be implemented on the north side of Fife Street commencing at Chestnut Avenue and extending to a point 41 feet easterly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
12. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the north side of South Bend Road West between Laurier Avenue and West 5th Street; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
13. That the application of Ann Marie Erkelens and Anthony Falcone to lease a portion of the west boulevard of Proctor Boulevard adjacent to No. 84 Proctor Boulevard be approved, provided that:
 - (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$59.57 per space per year for the first two spaces and \$29.79 for any additional spaces up to ten) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14.
 - (b) the owner pays a one time \$50. registration fee, as approved by the City Council on 1986 January 14.
 - (c) the owner pays a one time \$191.24 (including G.S.T.) processing fee, as approved by the City Council on 1988 January 12.
 - (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.

- (e) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
14. (a) That the existing Residential Boulevard Parking Agreement registered as Instrument No. 173878 C.D. to the property at No. 129 Fairleigh Avenue South be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and
- (c) That the owner of the property be permitted to execute a revised Residential Boulevard Parking Agreement.
15. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of Leland Street between Ward Avenue and Whitney Avenue; and
- (b) That the existing "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the east side of Leland Street between Ward Avenue and Royal Avenue, be removed; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.
16. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Acadia Drive between Butler Drive (west leg) and Balharbour Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.

17. (a) That the existing school bus loading zone on the south side of Lawnhurst Drive commencing at a point 156 feet west of the west curb line of the east leg of Lawnhurst Drive and extending to a point 120 feet westerly therefrom be replaced with a "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation in accordance with the general Traffic Bylaw provision; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
18. (a) That the three existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulations on the south side of Bendamere Avenue adjacent to École Monseigneur-de-Laval be revised such that the regulation commences at a point 76 feet west of the west curb line of Columbia Drive and extends to a point 365 feet westerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
19. (a) That a "No Stopping" regulation be implemented on the west side of Queen Victoria Drive, commencing at a point 186 feet north of the north curb line of Quaker Crescent (north leg) and extending to a point 94 feet northerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
20. (a) That a "No Parking" regulation be implemented on the north side of South Bend Road West between Upper James Street and West 5th Street; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
21. (a) That a "Two Hour Parking Time Limit, 9:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Laurier Avenue from the easterly intersection with South Bend Road West to Stacey Street; and
(b) That a "Two Hour Parking Time Limit, 9:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the east side of Laurier Avenue between Stacey Street and the westerly intersection with South Bend Road West; and
(c) That the City Traffic By-law 89-72 be amended accordingly.

22. (a) That a "Permit Parking" regulation be implemented on the west side of Ferguson Avenue North commencing at a point 121 feet south of Wood Street East and extending to a point 24 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Leaist, No. 499 Ferguson Avenue North; and
- (c) That the City Traffic Department 89-72 be amended accordingly.
23. (a) That eastbound traffic on Elite Drive be required to stop for northbound and southbound traffic on Acadia Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
24. (a) That westbound traffic on Racalmuto Street be required to stop for northbound and southbound traffic on Lockheed Drive; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
25. That the School Crossing Guard service be discontinued during the lunch hour period at the signalized intersection of Glendale Avenue and King Street East.
26. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in:

" RYMAL SQUARE ESTATES - PHASE 5 ", Hamilton

City's Share \$ Nil Subdivider's Share \$ 209,552.01

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Rymal Square Estates - Phase 5", Hamilton and any other related documents for this Subdivision subject to the approval of the City Solicitor.
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
- (d) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.

27. (a) That the following City lands be incorporated into the street in order to complete the final street width:
- Limeridge Road Part 2 Plan 62R-12649
- (b) That the by-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
28. (a) That the City lands shown as Parts 1, 13 - 32 inclusive on Plan 62R-11488 be incorporated into Upper Kenilworth Avenue.
- (b) That the by-law to carry out the incorporation of the said lands into the foregoing street be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
29. (a) That an Offer to Purchase (Highway Closure), duly executed by J. B. Marlatt Funeral Homes (1985) Limited (W. R. Hockney, President), on 1993 September 29, and scheduled to close within thirty (30) days of completion of the conditions as set out in the Agreement, but in any event, no later than 1994 November 16, for the sale of part of an alley lying immediately north of Lots 6 to 9 and immediately south of Lots 16 to 20, Registered Plan 325, designated as Part 1 on Reference Plan 62R-12212, more particularly described as having a width of 3.648 metres (11.968 feet) more or less, by a length of 54.584 metres (179.08 feet) more or less, and comprising a total area of 199.12 square metres (2,143.23 square feet) more or less, directly behind municipal address 615 Main Street East, be approved and completed and the funds derived from this sale of \$19,287 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the City's deed to the Purchaser be subject to an easement in favour of Bell Telephone Company and Hamilton Hydro over Part 1, Plan 62R-12212.

Regarding such Easement(s), the Purchaser acknowledges and agrees:

- i. That the Purchaser is required, at his expense, to enter into an Easement Agreement with and satisfactory to each Utility in order that such easement shall be registered before the closing of this sale to the Purchaser or registered as required by the Utility.
 - ii. That within the said highway being closed and sold to the Purchaser are installed or, are intended to be installed, the property of the Utility which neither the City nor the Utility shall be obliged to remove from the said closed highway to accommodate the Purchaser's development or use of the closed highway unless otherwise set out herein; and
 - iii. That the Easement Agreement with a Utility may prohibit the Purchaser's construction of buildings or structures on or beneath the land included in this sale and will provide access to the Utility upon the said land for the purpose of operating, maintaining, replacing, or installing such services or other equipment the Utility requires.
- (c) That the required deposit cheque in the amount of \$1,928.70 be held by the City Treasurer pending City Council approval.
- (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
30. That City Council enact the by-law to authorize construction of local improvements of a concrete alley first north of Barton Street East from Tragina Avenue North to Weir Street North (east-west portion only).
31. That City Council enact the by-law to authorize construction of local improvements of a concrete curb on the north side of Rennie Street from Waterloo Street to approximately 33.8 m easterly (east limit of 777 Rennie Street) and a concrete curb and sidewalk on the south side of Rennie Street from approximately 12.2 m east of Waterloo Street to approximately 12.2 m easterly (frontage of 776 Rennie Street).
32. That a purchase order be issued to Harm Schilthuis and Sons Limited, lowest of four bidders, in the amount of \$84,316. including G.S.T. to construct a reinforced concrete liner for Red Hill Creek, east of Quigley Road and north of Greenhill Avenue.

33. (a) That the West Central Branch of the Ministry of the Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to ENSR Operation Ltd. carrying out the proposed PCB destruction for McMaster University at 1280 Main Street West, Hamilton, Ontario;
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the MOEE be waived so that the proposed work can be carried out as scheduled;
- (b) That no specific Municipal permits are required for the proposed work.
34. (a) That the West Central Branch of the Ontario Ministry of the Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to Third Sector Employment Enterprises receiving a Certificate of Approval to operate a Waste Disposal Site (Processing) located at 1579 Burlington Street East, Hamilton, Ontario; provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable municipal by-laws are complied with fully.
- (b) That a copy of this report and its attachments be submitted to the West Central Branch of the MOEE for their consideration in the preparation of the Certificate of Approval regulating the operations of Third Sector Employment Enterprises.
35. That the procedure for processing road closures be revised to include only one report to the Transport and Environment Committee, which committee meeting is held after the required four weeks of public advertising, in those cases where no objections are received and the Ward Aldermen are in favour of the request.
36. (a) That the West Central Branch of the Ontario Ministry of the Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to the transfer and storage of PCB waste by the Management Board Secretariat to their Hamilton Psychiatric Hospital PCB storage site; provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City of Hamilton and Regional by-laws are complied with fully.
- (b) That a copy of this report and its attachments be submitted to the West Central Region Branch of the Ministry of the Environment and Energy for their information.

37. (a) That a "Two Hour Parking Time Limit, 9:00 a.m. to 4:00 p.m., Monday to Saturday" regulation be implemented on the north side of King Street West commencing 137 feet west of Sterling Street and extending to Cline Avenue South and on the south side commencing 119 feet west of Newton Street and extending to Cline Avenue South; and
- (b) That the existing "No Parking" regulation on the south side of King Street West which commences 75 feet west of Newton Avenue and extends 27 feet westerly therefrom, be replaced with one two-hour metered parking space; and
- (c) That three two-hour parking meters be installed on the east side of Paisley Avenue North commencing at King Street West (north branch) and extending to a point 109 feet northerly therefrom; and
- (d) That four two-hour parking meters be installed on the east side of North Oval commencing at King Street West and extending to a point 103 feet northerly therefrom; and
- (e) That two two-hour parking meters be installed on the east side of Sterling Street commencing at a point 75 feet north of King Street West and extending to a point 42 feet northerly therefrom; and
- (f) That a sign be erected in the vicinity of the King Street/Highway #403 bridge in a location agreeable to the Ward Aldermen and the Director of Traffic Services, indicating directions to "Westdale Village".
- (g) That the City Traffic By-law 89-72 be amended accordingly.
38. (a) That a three-way stop control be implemented at the intersection of Glendale Avenue North and Beachwood Avenue;
- (b) That the City Traffic By-law 89-72 be amended accordingly.

1993 November 9

39. That leave be granted to introduce the following Bills:

- (a) **Bill A-80** By-law to stop-up, close and authorize the sale of part of Belview Avenue designated as Parts 2 and 3, Plan 62R-12325
- (b) **Bill A-81** By-law to incorporate Part 2, Plan 62R-12649 into Limeridge Road
- (c) **Bill A-82** By-law to incorporate Parts 1, 13 - 32, Plan 62R-11488 into Upper Kenilworth Avenue
- (d) **Bill A-83** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (e) **Bill A-84** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (f) **Bill A-85** By-law to authorize the construction of local improvements of a concrete alley first north of Barton Street East from Tragina Avenue North to Weir Street North (east west portion only)
- (g) **Bill A-86** By-law to authorize the construction of local improvements of a concrete curb on the north side of Rennie Street from Waterloo Street to approximately 33.8 m easterly (east limit of 777 Rennie Street) and concrete curb and sidewalk on the south side of Rennie Street from approximately 12.2 m east of Waterloo Street to approximately 12.2 m easterly (frontage of 776 Rennie Street).

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1993 November 1

1993 November 9

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTEENTH** Report for 1993 and respectfully recommends:

1. That approval be given to amended Zoning Application 93-21, Frank and Antonietta Mastroianni and Diodoro and Olimpia Cavoto, Owners, requesting a change in zoning from "AA" (Agricultural) District, modified to "R-4" (Small Lot Single-Family Dwelling) District, modified to permit future development for five (5) small lot single-family detached dwellings, for property located at the rear of No. 1462 Upper Sherman Avenue, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Dwelling) District;
 - (b) That the "R-4" (Small Lot Single-Family Dwelling) District regulations as contained in Section 9A of Zoning By-Law No. 6593, applicable to the subject lands be modified to include the following variance as a special requirement:
 - (c) Notwithstanding Section 9A.2.(c)1. of Zoning By-Law No. 6593, every lot for a single-family dwelling shall have an average lot width of not less than 9.50 metres and an average lot area of not less than 306.0 square metres.
 - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1320, and that the subject lands on Zoning District Maps E-27C and E-27D be Notated S-1320;
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-27C and E-27D for presentation to City Council;
 - (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. A. That approval be given to amended Zoning Application 93-25, Bethel Gospel Tabernacle, owners, for a change in zoning from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings) District modified, to permit a 4 - storey, 38 unit multiple dwelling fronting onto Upper Wellington Street; a 6 - storey, 57 unit multiple dwelling; and 26 townhouse units on the lands known as 1321, 1329, 1335, 1339, and 1343 Upper Wellington Street, as shown on the attached map marked as Appendix "B", on the following basis :
 - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings) District;
 - (b) That the "DE-2" (Multiple Dwellings) District regulations, as contained in Section 10B of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - i. That notwithstanding Section 10B (1) of Zoning By-law No. 6593, only a maximum of 26 townhouse units subject to the "RT-20" District provisions of Section 10E shall be permitted on the rear portion of the subject lands;
 - ii. That notwithstanding Section 10B (2) (ii) of Zoning By-law No. 6593, the multiple dwelling fronting Upper Wellington Street shall not exceed four (4) storeys or 13.5 m in height, and the second multiple dwelling shall not exceed six (6) storeys or 20.0 m in height;
 - iii. That a maximum of ninety-five (95) multiple dwelling units shall be permitted;
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1319, and that the subject lands on Zoning District Map E-18B be notated S-1319;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18B for presentation to City Council;
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning;

- (f) That the approved Crerar Neighbourhood Plan be amended by redesignating the subject lands from "Single and Double Residential" to "Medium Density Apartments", "Attached Housing" and "Proposed Walkway", and by amending the approved road pattern.
- B. That as a condition of Site Plan Approval, the applicant/owner shall dedicate an easement to the City, by agreement, to provide for a walkway extending from the easterly property line to Upper Wellington Street including a portion to be provided on the applicant's lands immediately to the south and that the easement and site plan be registered on title.
- 3. A. That approval be given to City Initiative CI-91-H to provide for a general text amendment to Zoning By-law No. 6593, by introducing new regulations for public parking lots respecting front yard setback and landscaping requirements on the following basis:
 - (a) That the "G-3" (Public Parking Lots) District regulations, as contained in Section 13C of Zoning By-law No. 6593, be amended as follows:
 - i. That Section 13C.(1)(iii) be amended by adding the words "notwithstanding clauses 2. (2) J. (xb) and 2. (2) J. (xxvi)," at the beginning of said clause;
 - ii. That Section 13C.(3) be deleted in its entirety and replaced with a new Section, as follows:

AREA REQUIREMENTS

- (3) The following yards shall be provided within the district and maintained as appurtenant to every building in a G-3 district:-
 - (i) Where a front yard is required for any lot on the same side of the street between two intersecting streets, a front yard of a depth at least as great as that required for any such lot, but in no case of a depth of less than 3.0 metres (9.84').
 - iii. That Sections 13C.(4) and (5) be deleted in their entirety and replaced with a new Section 13C.(4), as follows:

1993 November 9

LANDSCAPING, PAVING, AND LIGHTING REQUIREMENTS

- (4) (i) A landscaped area having a minimum average width of 2.0 metres (6.56'), but not less than 1.0 metre (3.28') in width, shall be provided and maintained along the entire street line of the lot, except for the area used for access driveways;
- (b) Notwithstanding Section 2.(2)J.(xb)(c) of this By-law, not less than 50% of the required landscaped area referred to in clause (4)(i) above shall be natural earth comprised of the natural planting of grass lawns, trees, shrubs and flowers;
- (c) An area landscaped with a planting strip of not less than 1.5 metres (4.92') in width shall be provided and maintained along and within every side lot line and rear lot line that abuts a residential district or use;
- (d) A visual barrier not less than 1.2 metres (3.94') and not more than 2.0 metres (6.56') in height shall be provided and maintained along every side lot line and rear lot line of a public parking lot which adjoins a residential district or use, except that no visual barrier shall be situated less than 3.0 metres (9.84') in distance from a front lot line;
 - i. All open areas, except areas required to be landscaped, shall be paved with asphalt or concrete, and so graded or drained as to ensure that surface water will not escape to neighbouring lands;
 - ii. Every lighting facility shall be so designed, installed and maintained as to ensure that the light is deflected away from all lands designated for residential uses, and any lighting of signs shall similarly be so deflected.
- (e) That Section 18A Parking and Loading Requirements of Zoning By-law No. 6593, be amended by adding a new Section 18A.(40), as follows:
 - 18A.(40) Every public parking lot shall be subject to the provisions of Section 13C.

- (f) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 for presentation to City Council;
 - (g) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- B. That the Licensing Division of the City Clerks Department be directed to hold in abeyance the issuance of a "Garage D" licence for new parking lot development, until there has been confirmation that the applicant has applied for and received Site Plan Approval, where required.
- C. That Site Plans for all new parking lots are to be registered on title with the land.
- 4. That the Hamilton Disabled Programme be discontinued and the remaining funds in the City account in the amount of \$98,766 and outstanding loan repayables in the amount of \$38,892 be referred to the Management Team to be re-allocated and considered in the Capital budget deliberations.
- 5.
 - (a) That the Building Commissioner be authorized and directed to:
 - i. Formulate programmes to stimulate the revitalization of Barton Street from James to Kenilworth Streets with Phase 1 identified as the B.I.A. from Wentworth to Wellington Streets.
 - ii. Establish a Design and Implementation Committee chaired by the Building Commissioner and made up of Representatives from the Building, Public Works, Planning and Development, and Economic Development Departments, Municipal Non-Profit, and the Business Improvement Area.
 - (b) That the Planning and Development be directed and authorized to provide a land use review of Barton Street with the intent of modifying certain areas to facilitate commercial/residential development.
 - (c) That the cost of implementing the programmes be financed from the Ontario Home Renewal Programme Reserve Account.
 - (d) That the Building Commissioner be authorized and directed to make application to the Province of Ontario for authorization to utilize the Ontario Home Renewal Programme Funds when the programmes are developed.

1993 November 9

6. That the Noise Control Officer be directed to conduct a noise study on the GO Transit Canada/Hunter Corridor in the amount of \$4,000.
7. That the City of Hamilton accept the sum of \$21,840. as a cash payment in lieu of the 5% land dedication in connection with Rymal Square Estates - Phase 5, Hamilton, located between Upper Wentworth Street and Upper Sherman Avenue in the Butler Neighbourhood, being the cash payment required under Section 51 of the Planning Act.
8. That the Regional Municipality of Hamilton-Wentworth be advised that The City of Hamilton does not object to the proposed renaming of Confederation Drive, and a portion of Nash Road North, to Van Wagner's Beach Road.
9. That leave be granted to introduce the following Bill:

Bill C-81 By-law to amend By-law No. 87-308 as amended by By-law No. 92-079 respecting Members of the Board of Management of the Barton General Business Improvement Area.

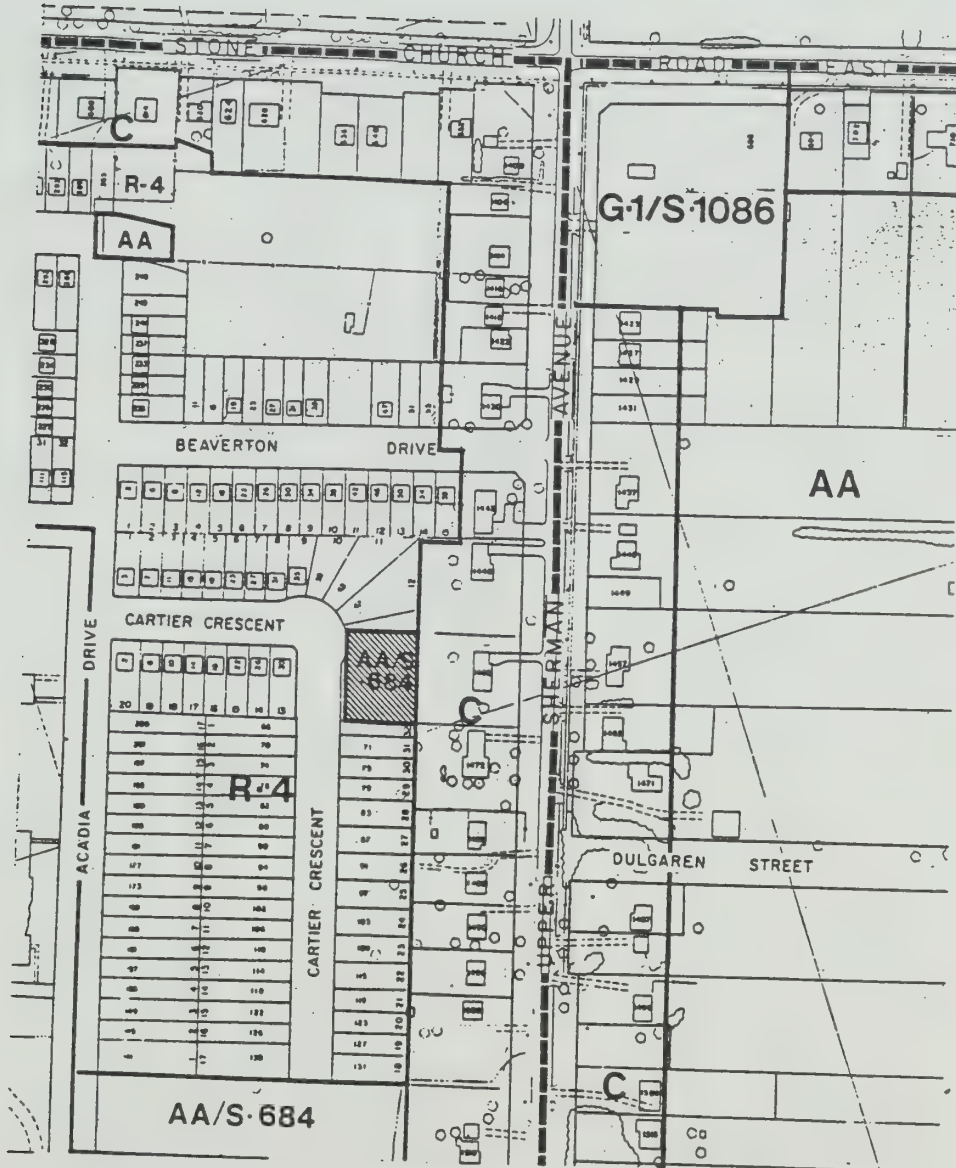
RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

Tina Agnello, Secretary
1993 November 3

1993 November 9

Appendix "A" as referred to
in Section 1 of the SEVENTEENTH
Report of the Planning and
Development Committee for
1993



Legend

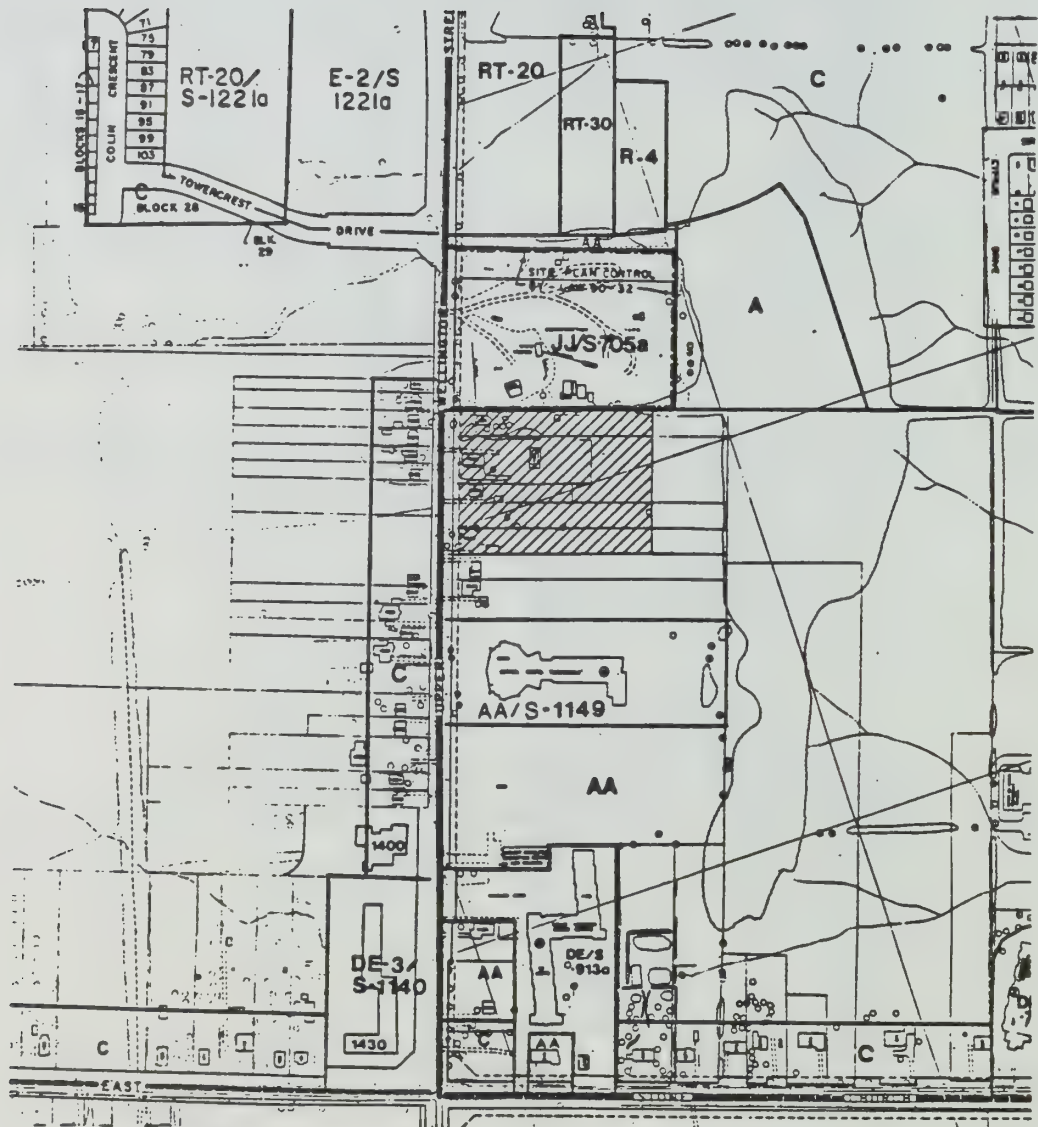


Site of the Application



1993 November 9

Appendix "B" as referred to
in Section 2 of the SEVENTEENTH
Report of the Planning and
Development Committee for
1993



Legend



Site of the Application

ZAC-93-25



1993 November 9

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-FIRST** Report for 1993 and respectfully recommends:

1. (a) That the City of Hamilton purchase a table with seating for ten at a cost of \$600. for the Hamilton Gallery of Distinction Dinner being held on Wednesday, 1993 November 17; and,

 (b) That this expenditure be financed from the Unclassified Account No. CH55113 24201.
2. (a) That the City of Hamilton host a reception for the Hamilton International Air Show to be held Saturday, 1994 June 18, at a cost not to exceed \$7,000.; and,

 (b) That this expenditure be financed from the Special Civic Receptions and Delegation Hostings Account No. CH55314 84010.
3. That the request from HECFI to allow for the addition of advertising panels to the Hamilton Place exterior pylon sign be approved.
4. That City Council consent to the use of the name "Hamilton" in the proposed incorporation of the "Hamilton Sports Council".
5. That the grant for the Around the Bay Road Race to promote the 100th Anniversary of the race in the amount of \$25,000. as approved by City Council 1993 October 26, be financed from the Reserve for Contingency Centre # CH 00115.
6. (a) That the stallholder fees for the Hamilton Farmers Market for 1994 be increased by 4.5%; and,

 (b) That the City Solicitor be authorized and directed to prepare an amendment to Farmers Market By-Law 92-310 to provide for the fee increase.

7. That the City Solicitor be authorized and directed to prepare an amendment to Farmers' Market By-law 92-310 providing for a revised Hamilton Farmers' Market Contract for 1994 to include the following:
- (a) Rental of all market stands on a four day per week basis (Monday, Wednesday, Friday and Saturday) payable by post-dated cheques at the time the contract is signed; and,
 - (b) The existing stallholder fees covering a three market day week be revised to include for the fourth market day, namely, Friday, the current daily rental rate of the stall multiplied by fifty-two. This revised annual fee shall be payable in twelve equal monthly post-dated cheques delivered to the City on the signing of the Market Contract; and,
 - (c) Rebate of the daily fee, without interest, for the applicable stand as set out in Market By-Law 92-310 on a twice yearly basis to all stallholders who do not utilize their stands on any given Fridays provided they have notified the Market Office by 9 a.m. of the Fridays in question.
8. (a) That in order to shorten the trial of this action and to reduce the overall legal expenses the City agree that the Plaintiff's damages in Ontario Court (General Division) Action No. 26753/91 be assessed as follows:
- | | | |
|-------|------------------------|-------------|
| (i) | General damages | \$30,000. |
| (ii) | Wage Loss | \$ 7,500. |
| (iii) | Out-of-pocket expenses | \$ 1,500. |
| (iv) | OHIP subrogated claim | \$ 8,600.31 |
- (b) That in order to shorten the trial of Ontario Court (General Division) Action No. 26753/91 and to reduce legal costs of all parties the City Solicitor be authorized to admit such facts as will reduce the need to call evidence without detracting from the City's ability to defend its liability position in this matter.

1993 November 9

9.
 - (a) That the City resolve Ontario Court (General Division) Action No. 418/90 by payment to the Plaintiffs Edward Gerrard Cross, Angela Nichole Cross, Heather Cross, and Edward Cross Jr., the sum of \$46,843.33 inclusive of all damages, interest and costs; and,
 - (b) That Ontario Court (General Division) Action No. 418/90 and all cross-claims therein be dismissed without costs; and,
 - (c) That the Plaintiffs be required to execute Full and Final Release in a form satisfactory to the City Solicitor.
10. That leave be granted to introduce the following Bills:
 - (a) Bill H-58 A By-law to Authorize West Mountain Bocce Program.
 - (b) Bill H-60 A By-law to Authorize the Levy of a Special Charge in respect of: Barton Street East #1 Business Improvement Area.
 - (c) Bill H-61 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 November 4**

LIBRARY
NOV - 1993
GOVERNMENT DOCUMENTS

BILLS

CITY COUNCIL

1993 NOVEMBER 9

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

**TO STOP-UP, CLOSE AND AUTHORIZE THE SALE OF
PART OF BELVIEW AVENUE DESIGNATED AS
PARTS 2 & 3, PLAN 62R-12325**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Items 7 and 8 of the 10th Report of the Transport and Environment Committee on 1993 July 27, authorized the City to stop-up, close and sell portions of Belview Avenue, being more particularly described as Parts 2 and 3, on Plan 62R-12325;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS Notice of the City's intention to pass this By-Law has been published as required by Section 301 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the portion of highway described as;

Parts of Belview Avenue (as established by City of Hamilton By-Law 1312), designated as Parts 2 and 3, on Plan 62R-12325,

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Are hereby stopped and closed.

2. That subject to the easements provided for in paragraph three below,
 - a) The soil and freehold in that portion being closed described as Part 2, on Plan 62R-12325, be sold to Barrealco Incorporated for the sum of \$5,000.00 in accordance with the terms and conditions of an agreement dated 1993 June 28.
 - b) The soil and freehold in that portion being closed described as Part 3, on Plan 62R-12325, be sold to Glendale Realty Holdings Incorporated for the sum of \$5,000.00 in accordance with the terms and conditions of an agreement dated 1993 June 28.
3. That the City deed an easement over Parts 2 and 3, on Plan 62R-12325 to the Regional Municipality of Hamilton-Wentworth, Union Gas Limited and Bell Telephone Company before this sale take place.

(cont'd pg 2)

To stop-up, close and authorize the sale of part of Belview Avenue designated as Parts 2 & 3, Plan 62R-12325.

4. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this day of A.D. 1993

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

**TO INCORPORATE PART 2, PLAN 62R-12649
INTO LIMERIDGE ROAD**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Limeridge Road by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Limeridge Road.

Part of Lot 9, Concession 6, in the former geographic township of Barton, designated as Part 2, on Plan 62R-12649.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being Part of the Parcel.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this

day of

A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE PARTS 1, 13 - 32, PLAN 62R-11488
INTO UPPER KENILWORTH AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Upper Kenilworth Avenue by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Upper Kenilworth Avenue.

Being parts of Lot 3, Concession 7, in the geographic township of Barton, designated as;

Firstly - Parts 22 - 32 (both inclusive), on Plan 62R-11488. Subject to an easement in favour of Hamilton Hydro Electric System over Parts 22 - 32 (both inclusive) as in (Secondly) Instrument LT 330608 and;

Secondly - All of Parcel 3-5, Section Bar. 7, designated as Parts 1, 13 - 21 (both inclusive), on Plan 62R-11488.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being All of the Parcel.

Subject to an easement in favour of Hamilton Hydro Electric System over Parts 1, 13 - 21 (both inclusive), on Plan 62R-11488, as in Instrument LT 330608.

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this

day of

A.D. 1993.

City Clerk

Mayor

BY-LAW NO. 93 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 26 (No Parking Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby

(a) amended by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Loconder	North	Upper Gage to Queen Victoria
Royal	South	Emerson to 67 feet east
South Bend	North	Upper James to West 5th
Paisley	East	Main to King
Paisley	East	North Oval to 109 feet north of King".

and by deleting therefrom the following item, namely:-

"Paisley	East	North Oval to Main".
----------	------	----------------------

(b) by deleting from **Section B (Loading Zones)** the following item, namely:-

"King	South	27 ft.	75 ft. west of Newton	Anytime".
-------	-------	--------	-----------------------	-----------

2. **Schedule 24 (Parking Meter Locations)** is hereby amended by adding to **Section 2a) (Two Hour Limit)** the following items, namely:-

"King	South	from a point 75 feet west of Newton to a point 27 feet westerly therefrom
Paisley	East	King (north branch) to a point 109 northerly therefrom
North Oval	East	King to 103 feet northerly therefrom
Sterling	East	from a point 75 feet north of King to a point 42 feet northerly therefrom".

3. **Schedule 25 (Parking Time Limits)** is hereby amended:

a) by adding thereto the following sub-section, namely:-

"23. Two Hour Limit, between the hours of 9 o'clock in the forenoon and 4 o'clock in the afternoon on the following streets or parts of streets, excepting such parts of same where parking or stopping is prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
King	North	from 137 feet west of Sterling to Cline
King	South	from 119 feet west of Newton to Cline".

b) by deleting from **Section 7 (Three Hour Limit)** the following items, namely:-

"Caroline	West	Duke to Bold
Rowanwood	Both	Beach Rd. to Southerly End".

BY-LAW NO. 93 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Glendale	Northbound and Southbound	Beechwood
Elite	Eastbound	Acadia
Racalmuto	Westbound	Locheed".

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"Queen Victoria	West	from a point 186 feet north of the north curb line of Quaker (north leg) to a point 94 feet northerly therefrom	Anytime
Fife	North	Chestnut to 41 feet east	Anytime
South Bend	North	Collier (west leg) to 97 feet east	Anytime
Ninth	South	from a point 48 feet east of Fernwood to a point 42 feet west of Fernwood	Anytime".

3. **Schedule 31 (School Bus Loading Zones)** is hereby amended by adding thereto the following items, namely:-

"East 37th	East	80 feet	232 feet north of the north curb line of Seventh	7:00 a.m.-6:00 p.m. Monday to Saturday
Bendamere	South	365 feet	76 feet west of Columbia	7:00 a.m.-6:00 p.m. Monday to Saturday
Ninth	South	129 feet	68 feet east of Fernwood	7:00 a.m.-6:00 p.m. Monday to Saturday".

and by deleting therefrom the following items, namely:-

"Ninth	South	80 feet	commencing at a point 107 feet east of Fernwood	7:00 a.m.-6:00 p.m. Monday to Saturday
Lawnhurst	South	120 feet	commencing at a point 156 feet west of the west curb line of the east leg of Lawnhurst	7:00 a.m.-6:00 p.m. Monday to Saturday
Bendamere	South	64 feet	commencing at a point 76 feet west of Columbia	7:00 a.m.-6:00 p.m. Monday to Saturday
Bendamere	South	40 feet	commencing at a point 210 feet west of Columbia	7:00 a.m.-6:00 p.m. Monday to Saturday
Bendamere	South	120 feet	commencing at a point 322 feet west of Columbia	7:00 a.m.-6:00 p.m. Monday to Saturday".

4. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Ninth South 20 feet 48 feet east of Fernwood 7:00 a.m.-6:00-p.m. Monday to Saturday".

PASSED this day of A.D. 1993.

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93 -

To Authorize:

1. The construction of local improvements of a concrete alley first north of BARTON STREET EAST from Tragina Avenue North to Weir Street North (east west portion only), as described in Schedule "A";
2. The special assessment to pay a portion of the cost upon petition made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Transportation/Environmental Services.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 22 of the 11th Report of the Transport & Environment Committee and Item 9 of the 15th Report of the Finance & Administration Committee on August 31, 1993;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

AND WHEREAS the City Treasurer has confirmed that the financial commitments, liabilities and debts of the project listed herein together with the City of Hamilton's other financial obligations and debts do not exceed the City's debt and financial obligation limit prescribed by Ontario Regulation 710/92 (in force as of January 1, 1993) and that the approval of the Ontario Municipal Board with respect to the project listed herein is therefore not required;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$30,400.00.

2. The share or portion of the estimated cost of the works in the amount of \$5,225.00 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
 - (a) to the extent sufficient to provide an amount not exceeding \$5,225.00; and,
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Transportation/Environmental Services is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of , A.D. 1993.

CITY CLERK

MAYOR

(1993) 11 R.T.E.C. 22, August 31
 (1993) 15 R.F.A.C. 9, August 31

SCHEDULE 'A'

The Construction of a concrete alley first north of BARTON STREET EAST from Tragina Avenue North to Weir Street North (east west portion only) at the cost not exceeding those set out below:

City's Share	\$ 25,175.00
Owners' Share	<u>5,225.00</u>
Total Estimated cost	<u>\$ 30,400.00</u>

Estimated Cost per metre frontage \$ 95.00

Fifteen (15) annual instalments

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93 -

To Authorize:

1. The construction of local improvements of a concrete curb on the north side of RENNIE STREET from Waterloo Street to approx. 33.8m easterly (east limit of 777 Rennie Street) AND concrete curb and sidewalk on the south side of RENNIE STREET from approx. 12.2m east of Waterloo Street to approx. 12.2m easterly (frontage of 776 Rennie Street), as described in Schedule "A";
2. The special assessment to pay a portion of the cost upon petition made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Director or Public Works.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 21 of the 11th Report of the Transport & Environment Committee and Item 8 of the 15th Report of the Finance & Administration Committee on August 31, 1993;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS Ontario Regulation 710/92 enacted under the authority of the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for a municipality's debt obligations which do not require the approval of the Ontario Municipal Board;

AND WHEREAS the City Treasurer has confirmed that the financial commitments, liabilities and debts of the project listed herein together with the City of Hamilton's other financial obligations and debts do not exceed the City's debt and financial obligation limit prescribed by Ontario Regulation 710/92 (in force as of January 1, 1993) and that the approval of the Ontario Municipal Board with respect to the project listed herein is therefore not required;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$8,700.00.

2. The share or portion of the estimated cost of the works in the amount of \$3,254.00 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
 - (a) to the extent sufficient to provide an amount not exceeding \$3,254.00; and,
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Director of Public Works is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of , A.D. 1993.

CITY CLERK

MAYOR

(1993) 11 R.T.E.C. 21, August 31
 (1993) 15 R.F.A.C. 8, August 31

SCHEDULE 'A'

The Construction of a concrete curb on the north side of RENNIE STREET from Waterloo Street to approx. 33.8m easterly (east limit of 777 Rennie Street) AND concrete curb and sidewalk on the south side of RENNIE STREET from approx. 12.2m east of Waterloo Street to approx. 12.2m easterly (frontage of 776 Rennie Street) at the cost not exceeding those set out below:

City's Share	\$ 5,446.00
Owners' Share	<u>3,254.00</u>
Total Estimated cost	<u>\$ 8,700.00</u>

Estimated Cost per metre frontage	\$ 53.00 for curb
	\$ 121.00 for sidewalk and curb

Fifteen (15) annual instalments

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

By-law No. No. 87-308
As Amended by By-law No. 92-079

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE BARTON GENERAL BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 87-308, passed on the 10th day of November 1987, provided for a Board of Management of the Improvement Area designated by By-law No. 87-178, passed on the 23rd day of June 1987, known as the "Barton General Business Improvement Area", more particularly described in By-law No. 87-178, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-079, passed on the 20th day of March 1992 amended Schedule "A" and Schedule "B" of By-law No. 87-308 to appoint new members to the Board of Management;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 6 of the 16th Report of the Planning and Development Committee on the 26th day of October 1993, directed that the composition of the Board of Management be further amended, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

Marko Tollis
Keith Cody
Joe Zidanic
John Hilger
Peter Chant
Roger Dimeo
Bernie Ruoff
Lori Stokes
Janice Robinson

Riviera Banquet Centre
Cody's Wallcoverings
Century Restoration
Ways to Wisdom
Balloons and More
Dimeo Real Estate
Ruoff's Eatery and Sports
Silvestri's Paradise of Flowers
Royal Bank

2. In all other respects, By-law No. 87-308, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1993

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Authorize:

The Levy of a Special Charge

In Respect of:

BARTON STREET EAST #1 BUSINESS IMPROVEMENT AREA

GENERALLY COVERING BOTH SIDES OF BARTON STREET FROM THE WEST
SIDE OF WELLINGTON STREET TO THE EAST SIDE OF WENTWORTH STREET

WHEREAS subsection 220(17) of the Municipal
Act, R.S.O. 1990, Chapter M-45, provides that the Council may
levy a special charge for the purposes of the Board of Management
of an Improvement Area.

(17) Subject to such maximum and
minimum charges as the Council may
specify by by-law, the Council shall
in each year levy a special charge upon
persons in the area assessed for business
assessment sufficient to provide a sum
equal to the sum of money provided for
the purposes of the Board of Management
for that area, together with interest
thereon at such rate as is required to
repay any interest payable by the
municipality on the whole or any part
of such sum, which shall be borne and
paid by such persons in the proportion
that the assessed value of the real
property that is used as the basis
for computing the business assessment
of each of such persons bears to the
assessed value of all the real property
in the area used as the basis for
computing business assessment.

AND WHEREAS the Council of the City of Hamilton
in adopting Section 12 of the Twelfth Report of the Planning and
Development Committee on July 27, 1993 approved the amount
of \$5,000.00 for 1993, for the purpose of the Board of
Management of the Business Improvement Area designated by
By-law No. 87-178.

AND WHEREAS it is intended that a special charge
be levied in accordance with subsection 220(17) of the Municipal
Act.

NOW THEREFORE the Council of The Corporation of
the City of Hamilton enacts as follows:

1. There is hereby levied a special charge upon
persons in the Improvement Area assessed for business assessment
calculated as set out in Schedule "A" hereto annexed and forming
part of this by-law.

(2)

2. The special charge levied shall be sufficient to provide a sum equal to the sum of \$5,000.00 provided for the purposes of the Board of Management for the Improvement Area designated by By-law No. 87-308 together with interest, if any.

3. The special charge and interest shall be borne and paid by the persons referred to in Section 1, in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

PASSED this

day of

A.D. 1993

CITY CLERK

MAYOR

SCHEDULE "A"

To By-law No.

1. Total assessed value of all the real property
in the area used as the basis for computing
business assessment. \$399,299.00
2. The Mill Rate for the special charge is calculated 12.5219
by:
 - a) dividing the approved estimates of the
Board of Management by
 - b) the total assessed value and
 - c) multiplying the result by 1,000
3. Approved estimate for 1993 \$5,000.00

BY-LAW NO. 93 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 9TH DAY OF
NOVEMBER A.D., 1993.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 9th day of November A.D. 1993

CITY CLERK

MAYOR



**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1993 November 30
7:30 o'clock p.m.
Council Chambers, City Hall**

URBAN M. 11 1

NOV 1993]

GOVERNMENT DOCUMENTS

**J. J. Schatz
City Clerk**

AGENDA

1. National Anthem

2. Opening Prayer

*Captain Doug Binner
The Salvation Army*

3. Presentations

*Regional Business Plan Contest - Sponsored by The Regional Municipality of
Hamilton-Wentworth in co-operation with the local Boards of Education*

Winners from The City of Hamilton

*Certificate of Recognition and Cheque
(Don Goodridge, Director, Hamilton Board of Education)*

<i>Miss Maxie Bai</i>	-	<i>W. H. Ballard Public School</i>
<i>Mr. Aaron Colbourne</i>	-	<i>Norwood Park Public School</i>
<i>Mr. Mark Cliffe</i>	-	<i>Norwood Park Public School</i>
<i>Miss Judy Lin</i>	-	<i>R. A. Riddell Public School</i>
<i>Miss Fiona Tozer</i>	-	<i>St. Columbia Roman Catholic Separate School</i>
<i>Miss Erika Cerskus</i>	-	<i>St. Joseph's School</i>

4. Certificate of Appreciation

Ukrainian Women's Association of Canada - Irene Sushko, President and Halia Lypka, Corresponding Secretary

5. Proclamation

"White Ribbon Week" - November 27th to December 3rd, 1993

6. Minutes

1993 November 9

7. Petitions and Correspondence

8. Reports of the Standing Committees

(b) Parks and Recreation Committee

(c) Planning and Development Committee

(d) Special Committee to Administer the Hamilton-Scourge Project

(h) Finance and Administration Committee

(i) Nominating Committee

(j) Committee of the Whole

9. Notices of Motion for Next Meeting

10. First Reading of the Bills

11. Second Reading of the Bills - Committee of the Whole

12. Third Reading of the Bills

13. Question Period

14. Adjournment.

MINUTES

1993 November 9

Minutes of Hamilton City Council
1993 November 9
7:30 o'clock p.m.
Council Chamber

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,
Ross.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The Council meeting commenced with the playing of the National Anthem.

* * * * *

Reverend Barry Bain, St. Giles United Church led Council in prayer.

* * * * *

Mayor R. Morrow called upon Therese Quigley, Chairperson for the Organizing Committee
- World University Games Womens Soccer McMaster University to present a
commemorative plaque to the City of Hamilton

* * * * *

Mayor R. Morrow presented Certificates of Appreciation to the following:

- (a) Glenn Mallory for Musical Contribution to Civic Events
- (b) Hammant Car and Engineering Ltd., Bill Crosbie, Sales Manager, Custom Products Division.

* * * * *

Mayor R. Morrow presented a Retirement Certificate to Helen Orgar, School Traffic Officer in recognition and appreciation of 19 years of loyal service to the City.

* * * * *

Mayor R. M. Morrow proclaimed "Unity in Diversity Week - 1993 November 8 to 14.

* * * * *

The minutes of the meeting held 1993 October 26 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1993 November 2 from Mr. Jerry Amatangelo (In trust), Hamilton, Ontario for changes in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District for Block "1" and to "G-1" (Designed Shopping Centre) District for Block "2", for lands located at the north-west corner of Garth Street and Rymal Road West, Hamilton, Ontario.

Received.

2. Letter dated 1993 November 8 from Wally Barubek, President, Hamilton Hurricanes Football Club requesting financial assistance from the City of Hamilton to help offset a deficit.

It was moved by Alderman Merling and seconded by Alderman Agostino that the request from the Hamilton Hurricanes Football Club, Inc., for funding in the amount of \$2,000. be referred to the Finance and Administration Committee. **LOST.**

* * * * *

It was moved by Alderman McCulloch and seconded by Alderman Agostino that notwithstanding the City's Current Grant Policy that a grant of up to \$2,000. be approved for the Hamilton Hurricanes Football Club for the National Junior Championship in Regina, and that this money be funded from the General Grants Account.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger. -8.

NAYS: Aldermen Kiss, Copps, Wilson, Charters, Jackson, Merling, Anderson, Ross. -8.
LOST ON A TIE VOTE.

* * * * *

Following further deliberation, Council agreed to reconsider the grant request from the Hamilton Hurricanes Football Club Inc. and it was subsequently moved by Alderman Jackson and seconded by Alderman Merling that the request from the Hamilton Hurricanes Football Club Inc., for funding in the amount of \$2,000 be referred to the Finance and Administration Committee.
CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Licensing Committee, the Finance and Administration Committee and the Nominating Committee, be now considered in Committee of the Whole with Alderman Anderson in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -16.

NAYS: -0.
CARRIED.

* * * * *

TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTEENTH REPORT

Section 36 Re: Ontario Ministry of the Environment and Energy Re: PCB's Storage - Hamilton Psychiatric Hospital

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, Drury, Morelli, Wilson, Eisenberger, Merling, Anderson. -9.

NAYS: Aldermen Kiss, McCulloch, Copps, Agostino, Charters, Jackson, Ross. -7.
CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTEENTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - SEVENTEENTH REPORT

Section 3 Re: City Initiative CI-91-H to introduce new regulations for public parking lots.

It was moved by Alderman Agostino and seconded by Alderman Agro that section 3 of the Seventeenth Report of the Planning and Development Committee be amended by adding the following as subsection "D":

D. That staff be directed to draft minimum lighting requirements for safety for privately operated parking lots.
CARRIED.

* * * * *

Section 4 Re: Hamilton Disabled Programme

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Anderson, Ross. -13.

NAYS: Alderman Kiss. -1.

CARRIED.

* * * * *

Section 6 Re: GO Transit Canada/Hunter Corridor - Noise Study

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Section 6 of the Seventeenth Report of the Planning and Development Committee be referred back.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -15.

NAYS: Alderman Kiss. -1.

CARRIED.

LICENSING COMMITTEE - FIFTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE - TWENTY FIRST REPORT

Section 3 Re: Hamilton Place Advertising Panels

Recorded vote.

YEAS: Aldermen Cooke, Agro, McCulloch, Morelli, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -11.

NAYS: Mayor Morrow, Aldermen Kiss, Drury, Copps, Wilson. -5.

CARRIED.

NOMINATING COMMITTEE - FOURTH REPORT

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Licensing Committee, the Finance and Administration Committee and the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-80, A-81, A-82, A-83, A-84, A-85, A-86, A-87.
C-81.
H-58, H-60, H-61.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Anderson in the chair. (second reading).

A-80, A-81, A-82, A-83, A-84, A-85, A-86, A-87.
C-81.
H-58, H-60, H-61.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, -16.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-80, A-81, A-82, A-83, A-84, A-85, A-86, A-87.

C-81.

H-58, H-60, H-61.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-80, A-81, A-82, A-83, A-84, A-85, A-86, A-87.

C-81.

H-58, H-60, H-61.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:45 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1993 November 9

CORRESPONDENCE

Correspondence:

1. Letter dated 1993 November 23 from Harris Raué, 21 Lynwood Drive, Stoney Creek, Ontario regarding non-resident user fees at Hamilton Public Libraries.

Recommendation: **Be Referred to the Hamilton Public Library Board.**

2. Application dated 1993 November 12 from Luval Enterprises Limited, Hamilton, Ontario for changes in zoning from "R-4" (Small Lot Single-Family Detached) District to "RT-20" (Townhouse-Maisonette) District for Block "1", from "R-4" (Small Lot Single-Family Detached) District to "C" (Urban Protected Residential, etc.) District for Block "2" and from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for Block "3", for lands located south of Mud Street and west of Upper Mount Albion Road, Hamilton, Ontario.

Recommendation: **Be Received.**

3. Application dated 1993 November 23 from Buckingham York Ltd., Hamilton, Ontario for a modification to the established "E-3" (High Density Multiple Dwellings) District regulations, for properties located at Nos. 150 and 152 Catharine Street South, Hamilton, Ontario.

Recommendation: **Be Received.**

Harris Raué
21 Lynwood Drive,
Stoney Creek, On L8E 3E7
Telephone # (905) 664-4171

1.

Members of Hamilton City Council
c/o City Clerk Mr. J. Schatz
71 Main St. West,
Hamilton City Hall,
Hamilton, On L8N 3T4

November 23, 1993

Re: User fees for out-of-town users
of the Hamilton Library.

Dear Members of Hamilton City Council,

This letter of protest is directed at all the members who voted in favour of charging a so called user fee by the Hamilton Library to non-Hamiltonians.

After reading the article announcing this fee in last night's Hamilton spectator, I felt compelled to voice my dismay and objection to this fee. I think it is very disgusting.

First of all, it appears that members of government at all levels can't seem to find enough reasons for, and ways of, putting their hands in my wallet. Traditionally, libraries have always been funded by general taxes, and have been accessible by anyone in the community, even the poorest, for free. To institute this fee appears to me to be a sudden tax increase of \$ 25.00 per year for an arbitrarily selected group of people. That certainly does not seem right to me.

Furthermore, this arbitrary fee for out-of-towners looks like an act of highway robbery to me. You simply put some barricade in the way of someone for something that has always been free and announce "Unless you pay the fee I ask, or fulfill some other condition perhaps, you may not proceed with whatever you wanted to do". Next thing you know, you will erect a barricade across King Street, or something, and demand a fee before allowing out-of-towners to cross that.

Our libraries in Hamilton-Wentworth have always been part of an integrated system. Does this new action now mean that Hamiltonians are going to have to pay a user fee in libraries in Stoney Creek, Dundas, Ancaster, etc.? If not, than only Hamilton charging a fee would be very unfair. If everyone started to charge a fee, it would be a real mess.

Cont'd on page 2

I also think that this decision to demand a fee of \$25.00 will be very hard on people who live on minimal incomes and whose only affordable pleasure in life is having access to some good reading material for the price of some bus fare.

Also, for a group of people who saw no problem squandering \$700,000.00 on the Hamilton Tiger Cats, I think it is very niggley, cheap and insulting to come up with the idea of charging the above mentioned fee to a segment of so called out-of-towners for access to the Hamilton Library which has traditionally been free, and should be. "Out-of-towners" is hard to define nowadays since Hamilton and its surrounding communities, under the banner of the Regional Municipality of Hamilton-Wenworth, for all practical purposes, are pretty well one large city.

Finally, too, you have to realize that whenever I go to the library, I, and I am sure others do the same, also stop and spend money at Jackson Mall stores, the Farmer's Market, etc. and by so doing I contribute my share to Hamilton's economy and tax base. I am sure that amounts to much more than \$25.00 already. Therefore, when my distaste to the fee turns me away from using the Hamilton Library, and so removes my incentive to visit Jackson Mall, the mall's merchants, and therefore Hamilton's economy, will be out much more than \$25.00.

In light of all the above, I hope you will reconsider this fee business. I find it very objectionable.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Paul", written in a cursive style.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **EIGHTEENTH** Report for 1993 and respectfully recommends:

1. (a) That the City of Hamilton renew the Lease Agreement which expires on 1993 December 31 with Her Majesty the Queen, represented by the Minister of the Environment (National Water Institute), for the use of City lands lying immediately east of 57 Beach Boulevard.
- (b) That the new term commence 1994 January 1 and expire 1995 December 31, for an annual rent of \$1. plus any applicable taxes, and rental proceeds be credited to Account No. CH44104 31106 (Civic Properties Rental).
- (c) That either party has the right to terminate the agreement on thirty (30) days written notice.
- (d) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement subject to the terms and conditions of the City Solicitor.
2. That the staff complement of the Caretaker, the Hamilton Museum of Steam and Technology, be changed from a part-time position working full-time hours to full-time status and that the part-time Caretaker position, be eliminated.
3. That the following artifact be deaccessioned from the Hamilton Military Museum collection and returned to the owner.

1991.0005-001 One 1804 Pattern Royal Navy Cutlass

4. (a) That pursuant to the 1993 October 26 City Council approval to acquire and develop land for park purposes at an estimated cost of \$400,000. as part of the Central/Beasley PRIDE H.INT. Program, approval be given to proceed with the investigation of acquiring a parcel of land within the Central portion of the project area; and,
- (b) That consideration be given to an annualized maintenance cost of \$4,800. for the park commencing in 1995 within the Current Budget Program of the Parks Development and Maintenance Section of the Public Works Department.

5. That the Culture and Recreation and Property Departments be authorized to analyze and examine the implications of creating a Community Centre within Beasley Park and submit a detailed report to the Parks and Recreation Committee for its consideration at its next meeting.
6. That the Director of Culture and Recreation be authorized, on behalf of the Corporation of the City of Hamilton, enter into an Agreement, satisfactory to the City Solicitor which would recognize the Hamilton Kilty "B"'s Hockey Club as the Marketing Agent for the rink board advertising at the Mountain Arena with a 40% gross return of the \$1,000. panels to the Corporation. This Agreement is to be for a two-year period.
7.
 - (a) That the City of Hamilton agree to renew the lease with the Macassa Bay Yacht Club which expires on 1993 November 30.
 - (b) That the new term will be for three (3) years, commencing 1993 December 1 and expiring on 1996 November 30, at the following rental rates:
 - i. 1993 December 1 to 1994 November 30 at a rental rate of \$9,000. plus taxes estimated at \$4,786.43 for 1994.
 - ii. 1994 December 1 to 1995 November 30 at a rental rate of \$10,000. plus taxes estimated at \$4,930.02 for 1995.
 - iii. 1995 December 1 to 1996 November 30 at a rental rate of \$11,000. plus taxes estimated at \$5,077.92 for 1996.
 - (c) That the time period for cancellation by either the Macassa Bay Yacht Club or the City be one (1) year written notice.
 - (d) That revenue be credited to Account No. CH44104 31106 (Rental Civic Property - Civic Properties Rented).
 - (e) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement.

8. (a) That a purchase order be issued to Dufferin Construction Company, Oakville, in the amount of \$59,318.13, including all taxes and a contingency of \$8,500., for asphalt placement and park redevelopment at Glow Park, being the lowest of six quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be finance through Park Development and Redevelopment 1993 Account No. CF5010 629354006.
- (b) That, as this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".
9. That the Terms of Reference, "Conservation Study for Dundurn Castle Landscape" attached hereto as Appendix "A", be approved and that staff carry out the necessary steps to put the document out for tender.
10. For the information of City Council, the following persons have been appointed to serve on the Hamilton Historical Board:

TERM OF OFFICE TO EXPIRE

(a)	David Cuming	1994 November 30th
(b)	Joyce Newman	1995 November 30th
(c)	Carolyn McCann	1995 November 30th
(d)	David Beland	1996 November 30th
(e)	Walter Peace	1996 November 30th
(f)	Victoria G. Brown	1996 November 30th

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 November 23

TERMS OF REFERENCE
CONSERVATION STUDY FOR DUNDURN CASTLE LANDSCAPE

1.0 General Introduction

1.1 Introduction

- 1.1.1 The Cultural Services Division of the Department of Culture and Recreation of the City of Hamilton invites qualified consultants to undertake a landscape conservation study for the grounds of Dundurn Castle.
- 1.1.2 The purpose of the study is to provide a range of potential options for the conservation, restoration and interpretation of the Dundurn landscape c. 1856-1862 with an implementation plan, cost estimates and maintenance plan for the recommended option.
- 1.1.3. The recommendations of this report must be integrated with building restoration and archaeological work in progress, and will form part of a master planning document for future site and waterfront development.
- 1.1.4. The report will form the basis for negotiating a cost sharing agreement between the City of Hamilton and the Canadian Parks Service, Environment Canada for the preservation of the nationally designated "Picturesque" Dundurn landscape.
- 1.1.5. For the purposes of this report the consultant will focus on the portion of the Dundurn estate bounded on the south by York Blvd., on the north by the railway lands and Hamilton Harbour and extending from the Inchbury Street lot line to the eastern edge of the main parking lot but also including the Gardener's Cottage at 25 Tecumseh Street and the adjacent MacNab burial plot known as Inchbuie. This will constitute the "historical zone". Harvey Park, which extends from the main parking lot to the T.B. McQuesten Bridge, will be outside the scope of the survey of vegetation, garden and landscape features, but will be considered for interpretive and site services issues. Except for issues of interpretation and significant views, the now privately owned building known as "Castle Deane", as well as adjacent historical features such as the Desjardins Canal, the railway terrace, the Hamilton Cemetery and Chapel, and the north half of Hamilton Harbour and shoreline, which are all relatively unaltered from the designated landscape period, shall be outside the scope of this report.

1.2. Cultural Services, The Department of Culture and Recreation

- 1.2.1. The Department of Culture and Recreation is dedicated to contributing to the quality of life for the citizens of, and visitors to, the City of Hamilton through the operation of recreational and cultural facilities, and through a variety of public and educational programmes and events.
- 1.2.2. The Cultural Services Division oversees the operation of five museums, which are Dundurn Castle, Whitehern, the Hamilton Military Museum, the Hamilton Museum of Steam and Technology, and the Hamilton Children's Museum, and coordinates and facilitates many of the City's Arts activities and events.
- 1.2.3. In matters of policy the Division receives guidance from the Hamilton Historical Board, which is composed of 13 interested citizens and 2 members of City Council. The Board reports through the Parks and Recreation Committee to City Council and has a mandate to advise and recommend on matters pertaining to City Museums and their grounds, and Hamilton's prehistoric and historic heritage.

1.3. A Brief Site History

- 1.3.1. The part of Burlington Heights now known as Dundurn and Harvey Parks contains a compelling material culture record of the prehistory and history of human occupation in the Hamilton area. Many of the major forces of development and change, from prehistoric hunting and agriculture through early European settlement, the War of 1812, the rise of industry, trade and transportation, and immigration are represented in the site's buildings, landforms, vegetation, and archaeological resource.
- 1.3.2. Currently the parks are home to two of the most successful community museums in the country. Dundurn Castle and the Hamilton Military Museum annually generate nearly 100,000 paid visitations. As well, the two parks constitute one of oldest and most popular public greenspaces in the downtown area.

1.3.3. Site Chronology

Geological:

- B.C. 12,000** The parks sit on top of Burlington Heights, a rise of land which separates Hamilton Harbour and Cootes Paradise. Less than 14,000 years ago this was one of the last beaches along the receding glacial Lake Iroquois, the prehistoric ancestor of Lake Ontario. The Heights are composed of sandy subsoil over a bedrock of silurian dolomite and Queenston shale.

1.3.4. Prehistoric:

B.C. 9,000 The parks are situated in what once was a rich hunting and fishing ground along the St. Lawrence-Great Lakes travel route. Archaeological evidence supports the human use of the site at least as far back as 9,000 B.C. by the Archaic, and later, by the Middle Woodland cultures. Recent evidence suggests native occupation in the early historic period as well. Activities may have included hunting and fishing, agriculture, and burial mound building.

1.3.5. Historic:

c. 1780 With the arrival of merchant and trader Richard Beasley prior to 1793, the site became one of the earliest locations of European settlement in the area. Beasley was actively engaged in trade until his estate was commandeered by the British and Canadian forces retreating from Fort George in 1813, and became the headquarters for the Niagara frontier. Colonel John Harvey led his troops from there to the pivotal Battle of Stoney Creek. Following the war Beasley sold his property to his cousin, John Solomon Cartwright.

**1.3.6.
1832** In 1832 the property was sold to Allan Napier MacNab who set about building an estate which became one of the finest in Upper Canada. MacNab's diverse careers as lawyer, entrepreneur, land speculator, investor, promoter and politician made him a driving force in Hamilton and Canadian society, and a leader in the economic and political life of the area. MacNab was knighted for his part in suppressing the Rebellion of 1837, and became Prime Minister of the United Provinces of Canada in 1854. Sir Allan died in 1862.

**1.3.7.
1862** After several years MacNab's complex estate was settled and his sister-in-law took possession of the property. It was leased in 1868 to the Provincial Asylum for the Deaf and Dumb, then sold to an American syndicate, apparently for conversion to a resort.

**1.3.8.
1872** In 1872 Senator Donald MacInnes purchased the property and it once again became a private home. Additions to the service wing of the house, and construction of the bowling alley, billiard room and stone stables probably date from his occupation.

**1.3.9.
1899** As early as 1893 the city expressed a desire to obtain the property for park and museum use. In 1899 the Parks Board purchased the estate and opened it as a park, zoo and general collection museum. In 1932 the present aviary replaced the zoo. In 1976 the site was enhanced with the opening of the Hamilton Military Museum in Battery Lodge.

1.4.1
1935 The historical nature of the park was established in its earliest days. The plaquing of various locations in the two parks began early in this century, primarily for the military role of the parks in the War of 1812 and the 1837 Rebellion. Burlington Heights was designated federally in 1935. Provincial plaques commemorate the Burlington Races and the careers of MacNab and Sir John Harvey.

1.4.2.
1967 In 1964 the City of Hamilton chose the restoration of Dundurn Castle and its grounds as its Centennial project. A committee was chosen from local interested citizens under the direction of the top restoration professionals of the day. Financial assistance was provided from all three levels of government.

1.4.3.
1977 The grounds and buildings were designated under the Ontario Heritage Act in 1977, and in 1983 a Heritage Easement Agreement between the City and the Ontario Heritage Foundation was signed which prohibits the commission of any act which would alter or damage the " historical, architectural, aesthetic and scenic character and condition " of the subject buildings and property.

1.4.4.
1985 In 1985 the Historic Sites and Monuments Board erected plaques marking MacNab's career and Dundurn, declaring the site to be of national importance because the Castle and " its outbuildings and grounds ... stand as an important example of the Picturesque Movement in Canada." In 1992 this designation was broadened to more specifically include the landscape:

"The Dundurn Castle grounds are a very rare example of a Picturesque estate which has survived relatively intact since the concept plan was initiated in 1834-37 and developed further in 1855-56."

This re-designation also made the restoration and preservation of the landscape eligible for participation in the cost sharing programme of the Canadian Parks Service, Environment Canada.

1.5. Issues

1.5.1 The Department of Culture and Recreation has a mandate to preserve and interpret its collections which include the portable artifact collection, built and above ground features such as buildings, earthworks, and gardens, and the rich archaeological resource of the site.

- 1.5.2. The grounds of the Dundurn estate historically have been as important as its buildings. Initially MacNab hired a master gardener and an architect familiar with the landscape based Picturesque style of villa design. MacNab spent a lifetime improving his grounds, and was an active member of local gardening and horticultural societies. The estate reached the final expression of its planning in the Picturesque style in the period from 1855 to 1862, following a plan commissioned from landscape architect George Laing. Following MacNab's death the site passed through several ownerships and uses. Numerous, mostly superficial, changes to the site and altered maintenance practices have made the original landscape plan less apparent.
- 1.5.3. The restoration of the grounds, as contemplated in 1965-67, was never completed due to lack of funding. The interpretive plan for the site has therefore never been carried out in full.
- 1.5.4. The development of the grounds for interpretive purposes has been identified as a feasible and highly desirable project in a study completed in 1987. Given the rising interest in gardening and environmental issues and the growing importance of cultural tourism, the feasibility will not diminish in the near future.
- 1.5.5. The statements of purpose of the two site museums include a number interpretive themes and sub-themes derived from the site's history and the museums' collections. All interpretive activity on the site should support those themes.
- 1.5.6. Currently the two museums are among the most successful community museums in the province, however the full potential of the site as an international attraction has never been drawn upon. The recreation of the nationally significant Dundurn landscape immediately adjacent to the world famous Royal Botanical Gardens will create an unparalleled cultural tourism destination for the region.
- 1.5.7. In addition to their museum use, Dundurn and Harvey Parks are used extensively by citizens and visitors for a variety of activities such as walking, picnicking, etc. Dundurn is also home to an aviary which, although not a component of the designated landscape, is a popular and desirable feature of the park. Additionally, the parks are the last link in a chain of unique and beautiful parklands which comprise the formal western entrance to the City.
- 1.5.8. As the second museum on the grounds, the Hamilton Military Museum has enjoyed a high rate of visitation. It has been actively collecting for many years. The quality of its collection and programming have recently been recognized nationally by affiliation with the Canadian War Museum. Its potential for interpretation within the context of the park should be considered.

2.0 Conservation Plan Requirements

2.1 Tasks

- 2.1.1. The consultant shall complete, or have completed on the City's behalf, the following tasks in a professionally competent manner using appropriate methodologies and supporting documentation. These tasks include:
(2.1.2, 2.1.3, 2.1.4, 2.1.5, 2.1.6, 2.1.7, 2.1.8)

- 2.1.2 • a review of the following materials:

- archaeological reports for 1990, 1991, 1992 and 1993,
- building conservation study,
- building restoration documents,
- manuscript report on "The Landscape of Dundurn Castle" prepared for the Canadian Parks Service by Fern Graham;
- on-site files of historical documentation;
- guidelines for the implementation of the national cost sharing programme.

- 2.1.3. Review and comment on the "Landscape Restoration Feasibility Study for Dundurn Castle", (Landplan Collaborative Ltd., 1987), giving consideration to recent historical and archaeological research and site development issues;

- 2.1.4 Complete survey of vegetation and garden and landscape features on the Dundurn grounds with particular emphasis on possible remnant elements from the period 1856-1862.

Extensive historical and archaeological research is available to assist in this. This information will be suitably recorded on an appropriate plan of the site (on a scale no greater than 1" = 20') and using colour slides and prints. Features too complex to record at 1" = 20' shall be included as separate details at an appropriate scale. This survey should also include site observations, indications of significant views and vistas (both apparent and potential), natural and manmade features, and relevant weather and microclimatic information. Selective samples will be taken with an incremental borer to determine the age of the treed "allees" to the north and east of the main building. The consultant will provide four copies of site plan and details.

- 2.1.5. Provide a range of at least three potential options for the preservation, restoration, and interpretation of the historic landscape, focusing on the designated Picturesque landscape, but with interpretive strategies for the broad history and prehistory of the site in first interim draft form. The consultant will supply two copies of this draft.

- 2.1.6. **The consultant will facilitate two half day presentations of the three draft options (see 2.1.4) as follows:**

- 1/2 day presentation to the landscape restoration committee consisting of Hamilton Historical Board and LACAC members, appropriate City representatives, Parks Canada staff and group stakeholders (Garden Club of Hamilton and appropriate military groups).
- 1/2 day presentation to interested citizens for public input.

The consultant will gather information from these presentations as well as any written comments received from the first draft to determine, in consultation with City staff, the preferred option to carry out the landscape restoration project which will consider:

- the placement and location of all features of the plan such as walls, fences, garden features, circulation systems and security requirements,
- Construction details and/or specifications for the above,
- Locations and specifications for plant materials (botanical and common names, quantities and size, and any special directions) including ornamental and production gardens and orchards, formal lawns, park and natural regeneration areas.

- 2.1.7. **The consultant will then prepare a second draft which will also include:**

- the rationale for selecting the chosen option within the context of overall site development concepts and conservation issues
- an implementation schedule
- a maintenance plan
- a concept for treatment and integration of contemporary services and elements
- a breakdown of costs

After receiving committee comments and approval for the second draft **the consultant will provide three copies of the final report**, excluding photo documentation for which one set and negatives will suffice.

- 2.1.8. **The consultant shall prepare a schedule for carrying out the required tasks described in the Conservation Plan Requirements.**
- 2.1.9. **The consultant shall allow for meetings in Hamilton at each stage of the planning process, but in any case no less than five days shall be allotted. In addition a presentation of the final report will be made to the Hamilton Historical Board and City staff and the Garden Club of Hamilton.**
- 2.1.10. In preparing the above constant reference shall be made to the attached "guidelines for the implementation of the national cost sharing programme" for landscapes which are national historic sites to ensure that terminology and definitions are consistent with those used by the programme, and all requirements of for the conservation study and the Cultural Resource Management Policy of Parks Canada are met.
- 2.1.11. Curatorial, archaeological and City staff will be available for consultation throughout the planning period.

1993 November 9

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTEENTH** Report for 1993 and respectfully recommends:

1. That Zoning Application 93-33, Ned Janjic and Gerda Kugler, owners, requesting a further modification to the established "H" (Community Shopping and Commercial, etc.) District, to permit a billiard room on the second floor of the existing building located at 303 York Boulevard, as shown on the attached map marked as Appendix "A", be denied for the following reasons:
 - (a) It conflicts with the intent of By-law 78-184 which specifically excludes, among other uses, billiard rooms, penny arcades, etc. from the "H" District due to nuisance factors and spill-over effects associated with such uses (i.e. loitering, noise, parking on adjacent residential streets);
 - (b) The subject lands are in close proximity to two schools (i.e. Hess Street Public School and Sir John A. MacDonald Secondary School);
 - (c) There is an adequate supply of lands within the city that are appropriately zoned for the proposed use (i.e. "G-1", "G-2", "HH", "I", "J", "K" and "M-13" Districts);
 - (d) Approval of the application may encourage other similar applications which, if approved, would undermine the intent of the Zoning By-law; and,
 - (e) It conflicts with Council adopted policy, in that similar applications (ZA-90-10, ZA-91-80) to permit a penny arcade and a billiard hall at 314-318 Queenston Road, as well as another similar application (ZA-91-11) to permit a billiard room on the lands located at 324 Queenston Road, were denied.

NOTE: THE ABOVE-NOTED RECOMMENDATION WAS DEFEATED ON A TIE VOTE AT THE PLANNING AND DEVELOPMENT COMMITTEE MEETING OF 1993 NOVEMBER 24 AND IN ACCORDANCE WITH THE ESTABLISHED POLICY IS NOW BEING SUBMITTED TO CITY COUNCIL FOR FINAL DISPOSITION.

2. That approval be given to Zoning Application 93-30, Benemar Construction Inc. and The City of Hamilton, owners, requesting a change in zoning from "RT-20" (Townhouse - Maisonette) District, modified to "AA" (Agricultural) District (Block "1"), and from "AA" (Agricultural) District, modified to "RT-20" (Townhouse - Maisonette) District (Block "2"), to allow Block "1" to be added to the adjoining open space lands (located at the north-east corner of Upper Wentworth Street and Vineberg Drive), and to allow Block "2" to be developed for townhouses or maisonettes, in conjunction with the adjoining lands to the east, for lands shown on the attached map marked as Appendix "B", on the following basis:
 - (a) That Block "1" be rezoned from "RT-20" (Townhouse - Maisonette) District, modified to "AA" (Agricultural) District;
 - (b) That Block "2" be rezoned from "AA" (Agricultural) District, modified to "RT-20" (Townhouse - Maisonette) District;
 - (c) That the Director of Local Planning be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map E-27E for presentation to City Council;
 - (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and
 - (e) That the Chappel East Neighbourhood Plan be amended by redesignating Block "1" from "Attached Housing" to "Open Space", and Block "2" from "Open Space" to "Attached Housing".
3. A. That approval be given to amended Zoning Application 93-16, Diana Marie Hubbard and Edith Held, owners, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District modified, to permit development of the subject lands for law offices, for the property located at 1367 Upper James Street, as shown on the attached map marked as Appendix "C", on the following basis:
 - (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District;

- (b) That the "HH" (Restricted Community Shopping and Commercial) District regulations, as contained in Section 14A of Zoning By-law No. 6593, be modified to include the following variances as special provisions:
 - i. That notwithstanding Section 14A.(3)(a) of Zoning By-law 6593, a front yard of a depth of not less than 24.0 m (80 ft.) shall be provided and maintained along the entire westerly lot line;
 - ii. That Section 14A.(3)(c) of Zoning By-law 6593, shall not apply;
 - iii. That a minimum 3.0 m (10 ft.) wide landscape area shall be provided and maintained along the entire westerly lot line, except any area used for the vehicular access;
 - iv. That a minimum 1.2 m (4 ft.) wide planting strip, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the southerly lot line, abutting a residential use.
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1321, and the subject lands on Zoning District Map E-9C be notated S-1321;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council;
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- B. That the amending By-law not be forwarded for passage by City Council until such time as:

- (a) That the applicant (Diana Marie Hubbard and Edith Held) be required (with the consent of the Land Division Committee) to enter into right-of-way agreement(s) with the property owners to the north (Gombar Yolanda), and east (Estate of Wilfred Horning) to provide for permanent shared access to Upper James Street, over the lands of the applicant and over the lands to the north and east, binding on the respective property owners', heirs, successors and assigns.
 - (b) That the applicant's solicitor be required to provide to the City Solicitor a Solicitor's Certificate to the City certifying that the required right-of-way agreements have been entered into, registered and are binding upon the applicable landowners.
 - (c) That the applicant be required to fulfil Items (a) and (b), within 6 months of this Council Resolution and in default thereof, this approval resolution shall cease and no longer be in force.
- 4. That approval be given to amended Zoning Application 92-41, Shedaco Holdings Limited (R.S. Shelley), owner, for changes in zoning from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District (Block "1"), and to "C" - 'H' (Urban Protected Residential, etc. - Holding) District (Block "2"), to permit future development of Block "2" for single-family dwellings, for lands located at No. 625 Rymal Road West, as shown on the attached map marked as Appendix "D", on the following basis:
 - (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, to Block "2", by introducing the holding symbol 'H' as a suffix to the proposed Zoning District which will prohibit the development of the subject lands until municipal storm and sanitary sewers are available.

Removal of the holding restriction shall be conditional upon the availability of all such municipal storm and sanitary sewers servicing the subject lands as the City deems necessary and passage of an amending By-law. City Council may remove the 'H' symbol, and thereby give effect to the "C" District provisions as stipulated in this By-law, by enactment of an amending By-law once municipal sewers are available.
 - (b) That Block "1" be rezoned from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District;

- (c) That Block "2" be rezoned from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-27E for presentation to City Council;
 - (e) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
5. That approval be given to Zoning Application 93-23, Don Newman, c/o Newman Developments, prospective owner, requesting a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified, to permit a seven (7) storey, 66 unit multiple dwelling (apartment building), and a three (3) storey, 18 unit multiple dwelling (stacked townhouses), on lands known as 145 MacNab Street North, as shown on the attached map marked as Appendix "E", on the following basis:
- (a) That the subject lands be rezoned from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District;
 - (b) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - i. That notwithstanding Section 11(2)(ii), the multiple dwelling fronting onto Cannon Street West shall not exceed seven (7) storeys in height and the second multiple dwelling fronting onto MacNab Street North shall not exceed three (3) storeys in height;
 - ii. That notwithstanding Section 11(3)(ii)(b), the following shall be required:
 - a minimum westerly side yard width of 4.5 m for the multiple dwelling fronting onto Cannon Street West;
 - a minimum easterly side yard width of 3.0 m for the multiple dwelling fronting MacNab Street North;

- a minimum westerly side yard width of 2.5 m for the multiple dwelling fronting MacNab Street North;
- iii. That notwithstanding Section 11(6), not less than 40% of the area of the lot shall be provided and maintained as landscaped area;
- iv. That notwithstanding Section 18(3)(vi)(a), an ornamental wall projection at the front entrance of the multiple dwelling fronting onto Cannon Street West may project not more than 1.6 m into the easterly side yard;
- v. That notwithstanding Section 18(3)(vi)(cc)(iii), balconies of the multiple dwelling fronting onto Cannon Street West may project not more than 1.4 m into the required side yard;
- vi. That notwithstanding Section 18A, a minimum of one (1) 3.7 m x 18.0 m x 4.3 m loading space shall be provided and maintained on site;
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1321, and that the subject lands on Zoning District Maps W-3 and W-4 be notated S-1322;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-3 and W-4 for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
- (f) That the approved Central Neighbourhood Plan be amended by redesignating the subject lands from "COMMERCIAL" to "MEDIUM DENSITY APARTMENTS".

6. (a) That Mr. F. Westaway, Chief Noise Control Officer, Public Works Department, be authorized to undertake noise studies, at a maximum cost of \$7,150. for the following two areas which may be affected by the Hamilton GO Transit Service Expansion:
- i. The Victoria Avenue Layover Yard, which extends from Victoria Avenue to Wentworth Street, between Alanson Street and Charlton Avenue; and
 - ii. The Hunter/Canada Street Cut, located from Dundurn Street to Queen Street, between Hunter Street and Canada Street;
- (b) That this matter be referred to the Finance and Administration Committee. in order that they may recommend the appropriate method of financing for this project; and
- (c) That the results of these noise studies and related analysis be reported to the Planning and Development Committee, for forwarding on to GO Transit, the Ministry of Environment and Energy (M.O.E.E.), and C.P. Rail.
7. That City Council amend By-law 93-167 to provide the following building permit fee.

Class of Permit

Fee

Installation of Siding for Single Family Dwelling	\$75.
---	-------

8. (a) That an Agreement by Owner to Accept compensation, executed by Donald Arnott, on 1993 November 15, and scheduled to close on or before 1993 December 7, for the lands being part of Lot 9, Concession 1, in the former Township of Barton, part of Plan 547, more specifically described as Parts 1, 2 and 4 on Expropriation Plan No. 38851 (together with a right-of-way over Part 3), having a frontage of 6.12 metres (20.08 feet) more or less, along the westerly limits of Sherman Avenue North, containing an area of 173.2 square metres (1,864.4 square feet) more or less, known municipally as 403 Sherman Avenue North, be approved and completed and the total compensation of \$61,400.77 (\$55,923.35 having already been paid to the former owner on November 4, 1993) be charged to Account No. CF 5590 308750001 (Land Acquisition - Enclave Clearance Program).

- (b) That the Mayor and City Clerk be authorized and directed to execute the Agreement on behalf of the City.
- 9. (a) That a letter be sent to the Minister of Housing and the Minister of Culture, Tourism and Recreation requesting the co-operation of the two Ministries in co-ordinating funding for Non-Profit Housing so that funds can be put towards the improvement of the neighbourhood streetscape and not result in the demolition of listed and designated heritage buildings; and
(b) That a letter be sent to the Minister of Housing Requesting that the Province consult with the City regarding proposed Non-Profit Housing Projects before the funding is approved.
- 10. That a letter be sent to the Honourable Bob Rae, Premier of Ontario and the Honourable David Christopherson, Attorney General, supporting the allocation of funds for the completion of the consolidated Hamilton Court House to be located at 10 John Street South, a designated building in the City of Hamilton.
- 11. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, four hundred and sixty six, (\$1,466.) be approved for Grace Williams, 94 Edinburgh Avenue, Hamilton. The interest rate will be 8 percent amortized over 5 years.
- 12. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand nine hundred and eighty (\$1,980.) be approved for Susan Underhill, 10 Huron Street. The interest rate will be 8 percent amortized over 5 years.
- 13. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, three hundred and fifty (\$1,350.) be approved for Yat Lee, 50 Barton Street East. The interest rate will be 8 percent amortized over 5 years.
- 14. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand six hundred and five (\$1,605.) be approved for Herbert Wodehouse, 1A Roanoke Place. The interest rate will be 8 percent amortized over 5 years.
- 15. That a Commercial Loan in the amount of nine thousand, four hundred and fifty-five (\$9,455.) be approved for Dan Kwiatkowski. The interest rate will be 2 7/8 percent amortized over ten (10) years.

16. That the Building Commissioner be authorized to issue demolition permits for:
 - (a) 138 Park Street North
 - (b) 6 Dunraven Avenue
17. (a) That approval be given to application 25CDM-93004, Shoreline Gardens Limited, owner, to establish a draft plan of condominium located on the south side of Limeridge Road East between Upper Wellington Street and Upper Wentworth Street, subject to the following condition:
 - i. That this approval apply to the plan prepared by Bryan Jacobs, O.L.S., and date stamped 1993 April 8, showing 12 residential units in a 3-storey building.
- (b) That the Commissioner of Planning and Development for the Regional Municipality of Hamilton-Wentworth be advised of Council's decision.
18. (a) That the request of David A. Elliott, Solicitor for 800064 Ontario Limited, to establish maintenance easements by removing part-lot control from Lot 1, and from Lots 3 to 14 inclusive, "Claudette Gardens, Phase 4" plan of subdivision, 62M-746, be approved;
- (b) That the appropriate by-law to remove part-lot control from Lot 1 and from Lots 3 to 14 inclusive, "Claudette Gardens, Phase 4" plan of subdivision, be enacted by Council;
- (c) That following enactment of this by-law, that the Regional Municipality of Hamilton-Wentworth (as delegates of the Minister of Municipal Affairs) be requested to grant approval to the by-law and endorse the same on the by-law;
- (d) That following completion of the conveyances being permitted by the said by-law to remove part-lot control, a by-law be enacted to repeal the said by-law; and
- (e) That the existing Subdivision Agreement registered on title to this subdivision on 1993 October 15th, as Instrument No. LT352794 be amended to replace its provisions and schedules regarding the required maintenance easements so as to approve the maintenance easements provided for in the revised draft Reference Plan, prepared by J.P. Wooley Surveying and referenced by them as project No. 93-206-13.

19. That leave be granted to introduce the following Bills:

- (a) C-82 By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 73-303 respecting lands located at Municipal Nos. 305 and 307 Main Street West
- (b) C-83 By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 92-003 and to repeal Zoning By-law No. 93-087 respecting land located at Municipal No. 1341 Upper James Street
- (c) C-84 By-law to remove land within the Claudette Gardens, Phase 4 Subdivision, Plan 62M-746 from Part Lot Control
- (d) C-85 By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 79-326 respecting land located at the rear of Municipal No. 1462 Upper Sherman Avenue
- (e) C-86 By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 528 Mohawk Road East (South East Corner of Mohawk Road East and Upper Sherman Avenue)
- (f) C-87 By-law to establish Site Plan Control respecting land located at Municipal No. 528 Mohawk Road East (South East corner of Mohawk Road East and Upper Sherman Avenue)
- (g) C-88 By-law to Amend Zoning By-law No. 6593 respecting lands located in the area east of Upper Wentworth Street and north of Vineberg Drive
- (h) C-89 By-law to Amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 1321, 1329, 1335, 1339 and 1343 Upper Wellington Street.

RESPECTFULLY SUBMITTED,

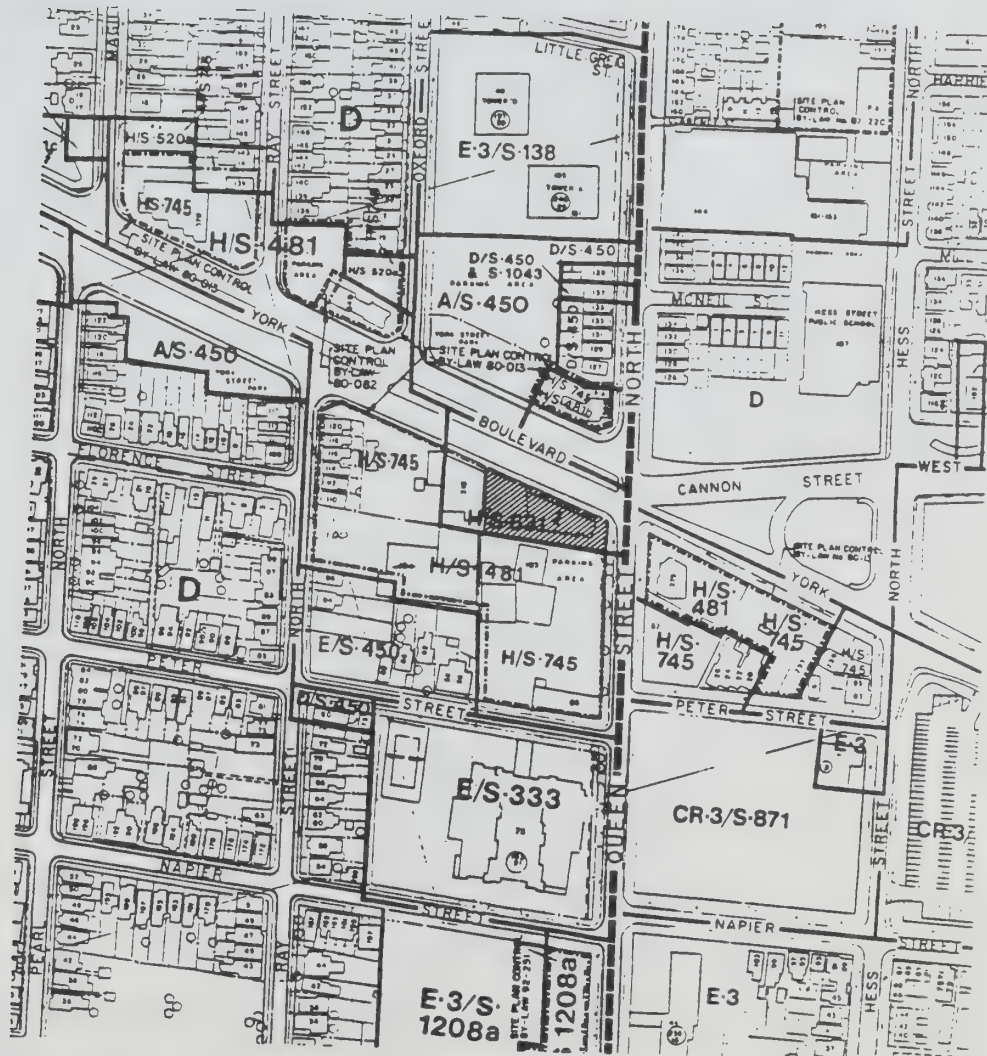
**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

Tina Agnello
Secretary

1993 November 24

1993 November 30

Appendix "A" as referred to
in Section 1 of the **EIGHTEENTH**
Report of the Planning and
Development Committee for
1993



Legend



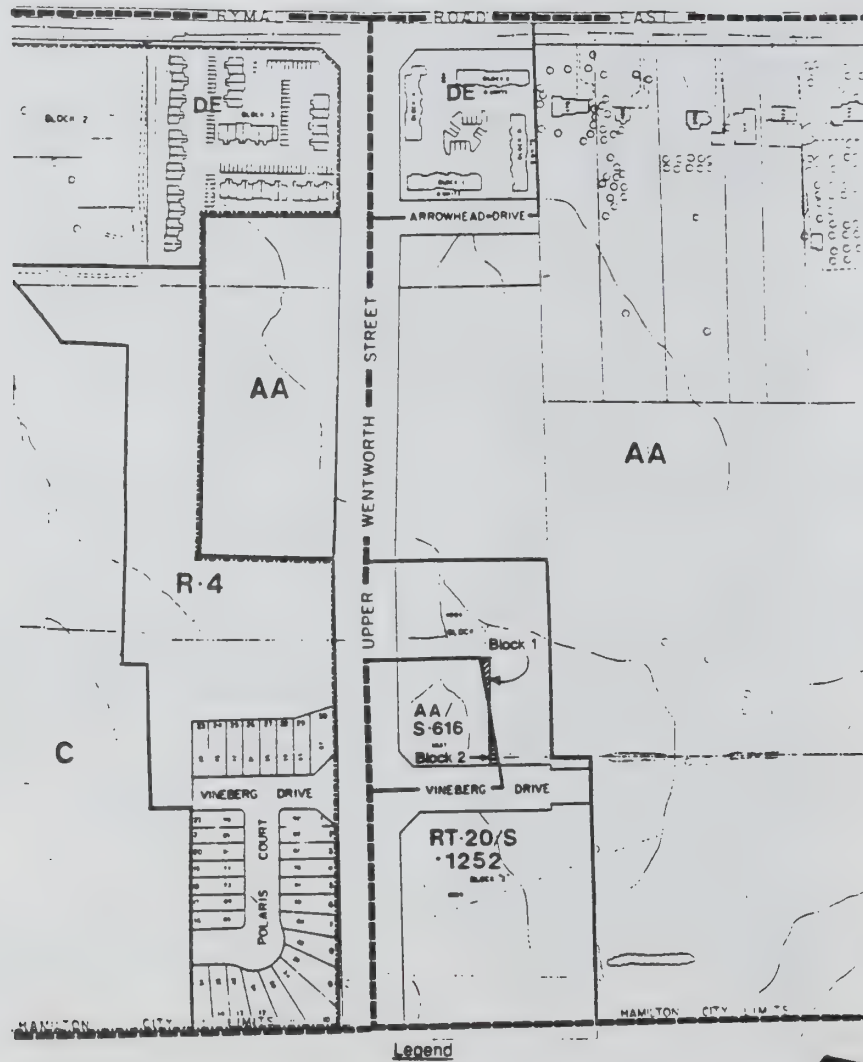
Site of the Application





ZAR-93-33

1993 November 30

Appendix "B" as referred to
in Section 2 of the **EIGHTEENTH**
Report of the Planning and
Development Committee for
1993



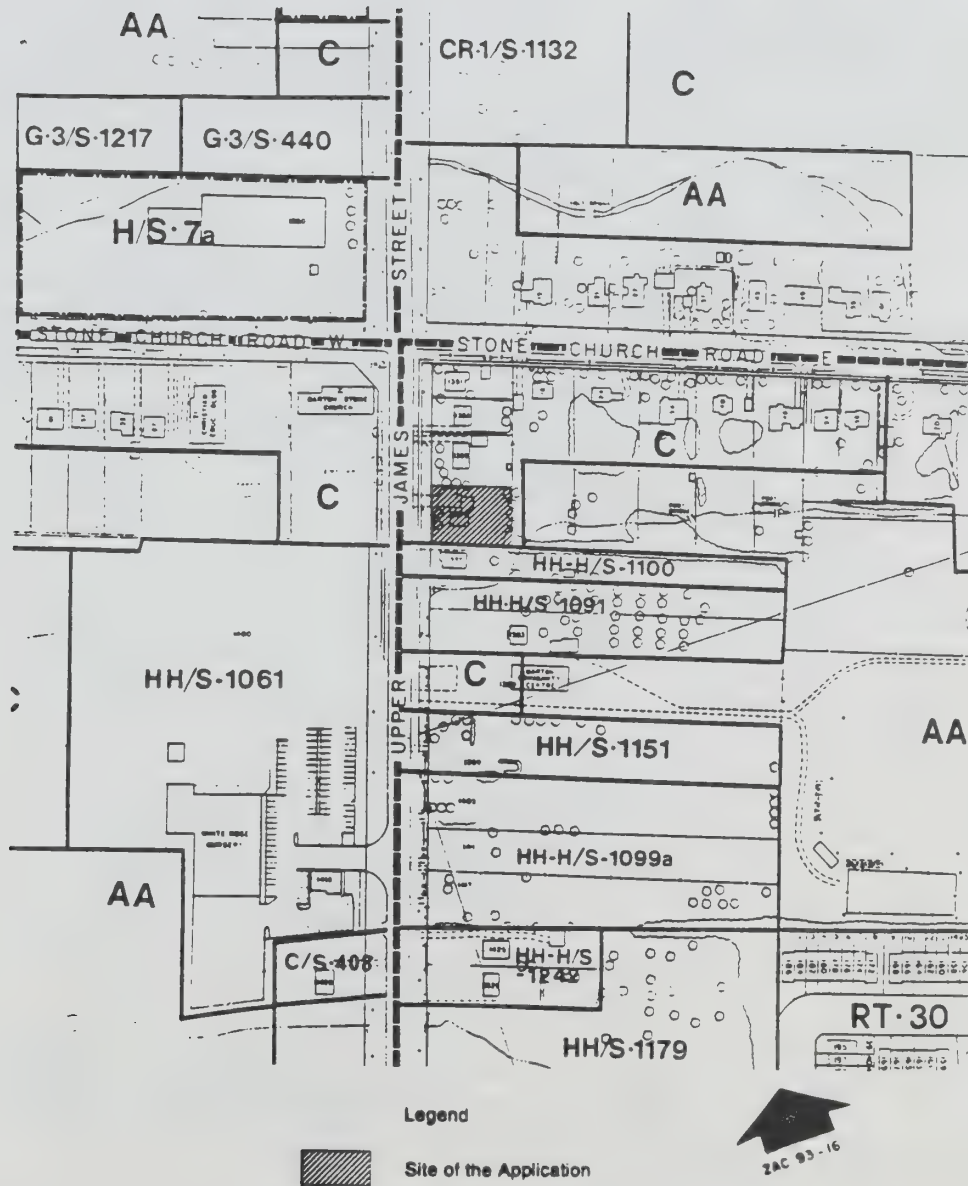
Proposed Change in Zoning From:

- | | | |
|---------|---|--|
| Block 1 |  | "RT-20" (Townhouse - Maisonette) District, modified, to "AA" (Agricultural) District |
| Block 2 |  | "AA" (Agricultural) District, modified, to "RT-20" (Townhouse - Maisonette) District |


ZAR-93-30

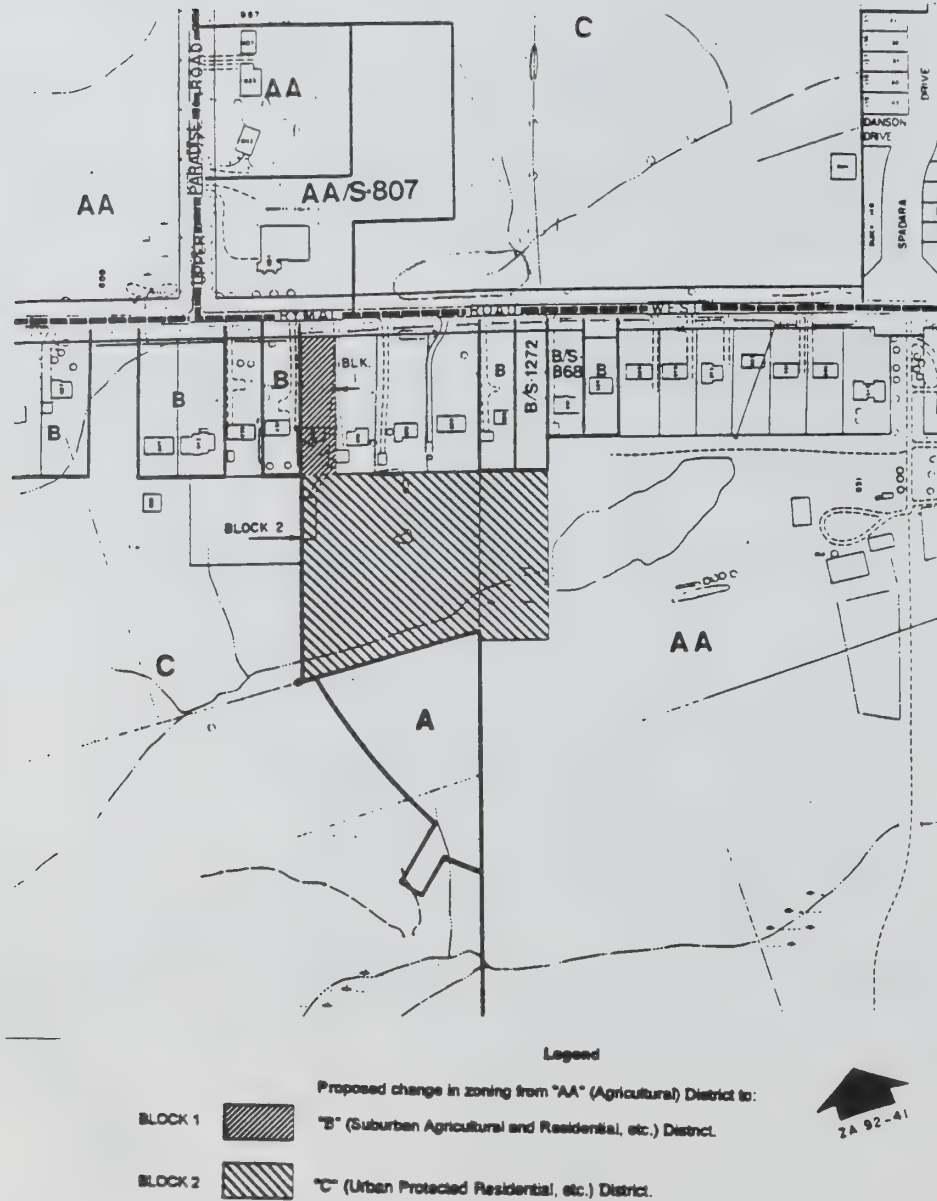
1993 November 30

Appendix "C" as referred to in
Section 3 of the EIGHTEENTH
Report of the Planning and
Development Committee for
1993



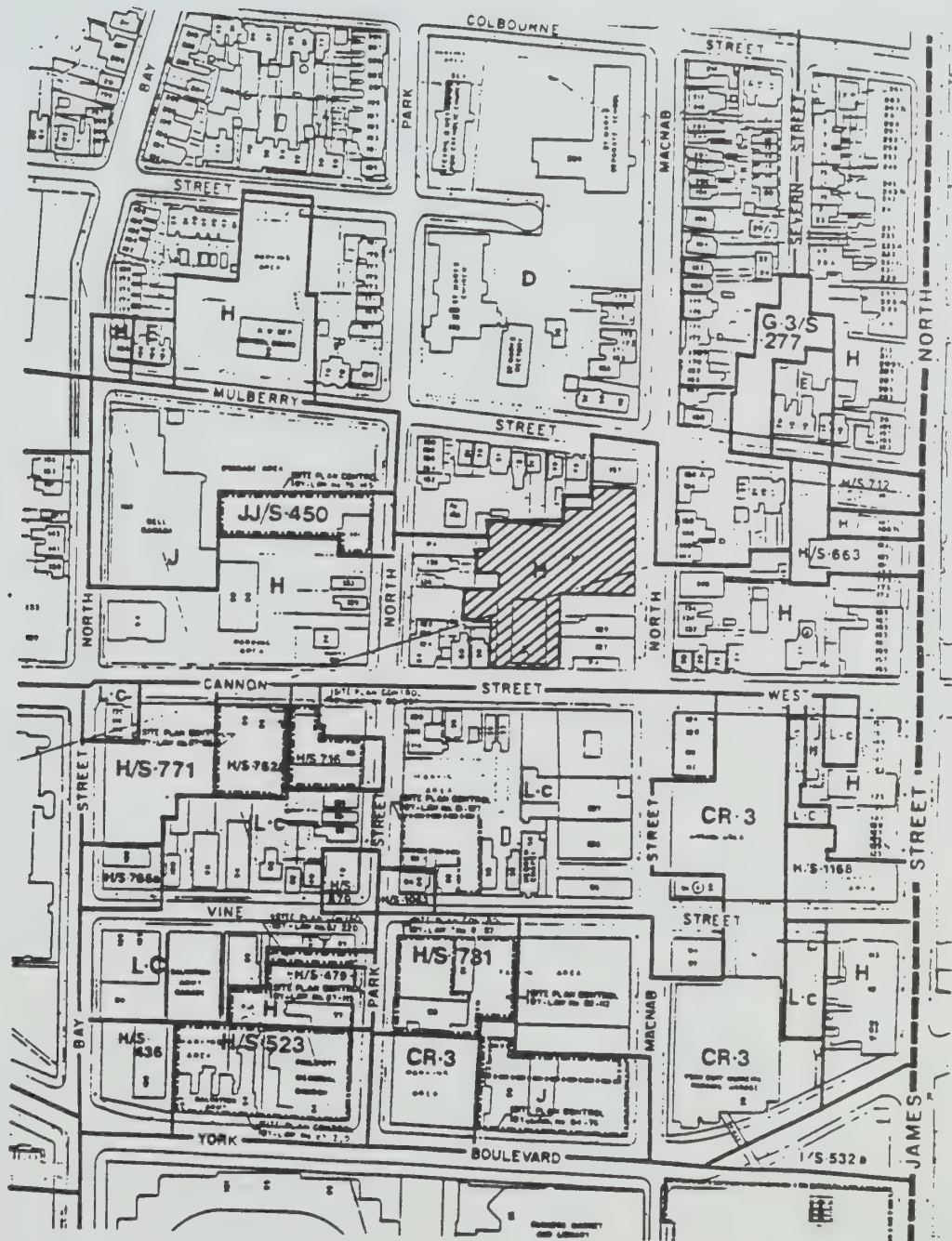
1993 November 30

Appendix "D" as referred to
in Section 4 of the EIGHTEENTH
Report of the Planning and
Development Committee for
1993



1993 November 30

Appendix "E" as referred to
in Section 5 of the EIGHTEENTH
Report of the Planning and
Development Committee for
1993



LEGEND



Site of the Application

ZAC-93-23

REPORT OF THE SPECIAL COMMITTEE TO ADMINISTER
THE HAMILTON-SCOURGE PROJECT

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Special Committee to Administer the Hamilton-Scourge Project presents its **FIRST** Report for 1993 and respectfully recommends:

1. That the 1994 HAMILTON-SCOURGE Project Development Plan be approved as contained in Appendix "A".
2. That the Director of Culture and Recreation be authorized to initiate a Letter of Engagement with a Contract Archaeologist for the next phase of the Hamilton-Scourge Project at a 1994 cost not to exceed \$10,000. financed from operating account CH55261-73001.
3. That the terms of the Letter of Agreement be satisfactory to the City Solicitor.
4. The Director of Culture and Recreation be authorized to co-ordinate the retrieval of all relevant Jason Project Imagery data base from Woods Hole Oceanographic Institute for preparation of a Licence application to the Ministry of Culture, Tourism & Recreation for a joint project dive in July-August 1994.
5. That the Finance and Administrative Committee be requested to approve the funding for this capital expenditure from the Conservation Laboratory Centre Capital Account #738841002.
6. That the Director of Culture and Recreation be authorized to finalize applications to the Ministry of Culture, Tourism and Recreation for the funding necessary for the Government (Provincial and Municipal) to cost share the joint project.
7. That the Director of the Culture and Recreation be authorized to negotiate an agreement subject to approval with the City Solicitor with IMAX Corporation to manage the licence application and Hamilton-Scourge Site Project '94 with tri-party partnership with W.H.O.I.

1993 November 30

8. That the Director of Culture and Recreation be authorized to co-ordinate with the Government of Canada - PARKS CANADA the necessary national application requirements and apply for available Heritage Grants.

Respectfully submitted,

S. J. Dembe, Secretary
November 24, 1993

ALDERMAN W. M. McCULLOCH,
CHAIRPERSON

*APPENDIX "A" as
referred to in Section
1 of the First Report
of the Hamilton-
Scourge Report for
1993*

**HAMILTON-SCOURGE PROJECT
DEVELOPMENT PLAN**

October 1993

HAMILTON-SCOURGE PROJECT DEVELOPMENT PLAN - October 1993

PREAMBLE

The need for a defined "approach" to the development of the Project has been emphasized for sometime. The need to consolidate long and short term planning is required as we look to the future.

The Woods Hole Oceanographic Institute is now ready to provide support for a Licence Application with IMAX Corporation for a follow-up from the Jason Project.

It is the intent of this report to present an action based, pro-active approach towards a "desirable" future for the Project. To initiate much needed credibility and acceptance on a wide scale for the HAMILTON-SCOURGE Project.

Section # 1 BACKGROUND

History of the Project

- 1971 The HAMILTON-SCOURGE Project was initiated by the Office of the Chief Archaeologist of the Royal Ontario Museum, Toronto. The driving force behind the search was Dr. Daniel A. Nelson, Research Associate, New World Archaeology, Royal Ontario Museum.
- 1973 HAMILTON and SCOURGE were located with the co-operation of the Canada Centre for Inland Waters (CCIW), using side-scan sonar.
- 1975 Videotape recordings of HAMILTON's hull and rudder as well as spars, a platter, the ship's board, human bones and a box of cannonballs were obtained from the TV camera of TROV, a prototype unmanned submersible.
- 1978 Another unmanned television photographic probe, Sea Scanner, observed a gun, the ships railing, some sweeps (oars) and spar.
- 1980 The City of Hamilton sought, and consequently was granted, title to the two wrecks.

 The Jacques Cousteau team visited the site during an expedition to the Great lakes (NBF film called "Stairway to the Sea"). The diving submersible, SOUCOUP, made several dives on HAMILTON, providing approximately 40 minutes of movie footage and many 35mm photographs.
- 1981 The HAMILTON and SCOURGE Foundation, Inc. was incorporated. It is a non-profit group whose main purpose is to raise funds for the Project.

- 1982 The HAMILTON and SCOURGE Society, a non-profit organization, was formed. The primary purpose of this organization is to bring together those citizens interested in the vessels HAMILTON and SCOURGE.
- National Geographic Society and the HAMILTON-SCOURGE Foundation, Inc. conducted an underwater photographic survey. Approximately 26 hours of videotape and about 1,800 slides were obtained. This material is extremely valuable for both scientific and publicity purposes.
- 1983 National Geographic magazine published a 17 page article, authored by Dr. Nelson, about the search and discovery of HAMILTON and SCOURGE. This has contributed significantly to world-wide recognition of the Project.
- 1983/1984 Publication of GHOST SHIPS, by Emily Cain, an exquisitely illustrated 160 page book, published by the Musson Publishing Group in Canada and the United States, and by the Foundation in Great Britain.
- 1986 Establishment of the HAMILTON-SCOURGE Project Feasibility Study Steering Committee, with representation from Parks Canada, the provincial Ministry of Citizenship and Communications, and the Corporation of the City of Hamilton. The Steering Committee was to oversee the work of a Technical Study Team of specialists in Archaeology, Conservation, and Engineering in drawing up a Feasibility Study Plan for the Project.
- 1988/1989 Completion and approval of the HAMILTON-SCOURGE Project Feasibility Study Plan, and initiation of Study process.
- Jan. 1989 Dr. Jack Wade, Chairman of the HAMILTON-SCOURGE Feasibility Study Steering Committee requests Dr. Ballard make his offer in relation to the Feasibility Plan.
- May 1989 The HAMILTON SCOURGE Project Feasibility Study Plan and Dr. Ballard's offer in relation to this Plan accepted by Resolution of Hamilton City Council.
- 1990 During an expedition by Dr. Robert D. Ballard and his team from the Woods Hole Oceanographic Institution (Project Archaeologist, Dr. Margaret Rule) relation to the Jason Foundation for Education, detailed electronic photography and other measurements were completed of both vessels on site. Project management was provided by Canada Centre for Inland Waters (CCIW). 250,000 students participated in live scientific research by attending broadcasts at fourteen downlink sites across North America. Turner Broadcasting created the television programming which the electronic Data System (EDS) Corporation transmitted via satellite.

Dr. Margaret Rule, C.B.E., F.S.A. presents THE HAMILTON-SCOURGE Project, Jason Underwater Archaeological Final Report listing a number of recommendations that require addressing before the feasibility of preserving, raising and conserving the HAMILTON and SCOURGE can be determined.

Section # 2

BASIC PRINCIPLES

This development plan outlines the basic principles required to deliver the credibility, acceptance and course of action necessary to ensure a successful future on a wide scale for the Project and most importantly to deliver the integral goal of sustainability for the Project.

o OPERATIONAL REVIEW

The infrastructure of staff levels and committee require modification to address a different intensity of activity.

The core team commands a cohesive, co-operative team representing the various involved elements and disciplines in order to weld a team capable of achieving the Project objectives.

The first step towards a focused purpose will be to consolidate the resources on an employee level. The development of a Core Team to include:

- o Director of Culture and Recreation
 - to direct the Program
- o Manager of Planning
 - to co-ordinate and administer the Project
 - to ensure final recommendations are transmitted to appropriate committee
- o Business (Administrative) Assistant
 - to communicate and follow up through with on-going administrative requirements
- o Contractual Project Archaeologist
 - to be responsible for seeing that the objectives are attained following the prescribed guidelines
 - more specifically responsible for balancing the technical requirements of the several disciplines to achieve the best possible results for everyone and with minimal intervention into the site.

- Contractual Project Conservator
 - to preserve and maintain the heritage value of all objects that are retrieved. The feasibility of doing this is to determine by: (1) predicting the outcome of proven approaches to conservation (based on the results of similar work on comparable projects and test samples from the unique environment and condition of the Hamilton-Scourge site itself; (2) comparing those predications with the present in situ appearance/condition of the wrecks; and, (3) assessing, with the assistance of archaeology and other appropriate disciplines, the effect(s) of any changes in condition on the heritage value of the object(s).

Additional Core Team Members (Advisory) external to staff deployment includes:

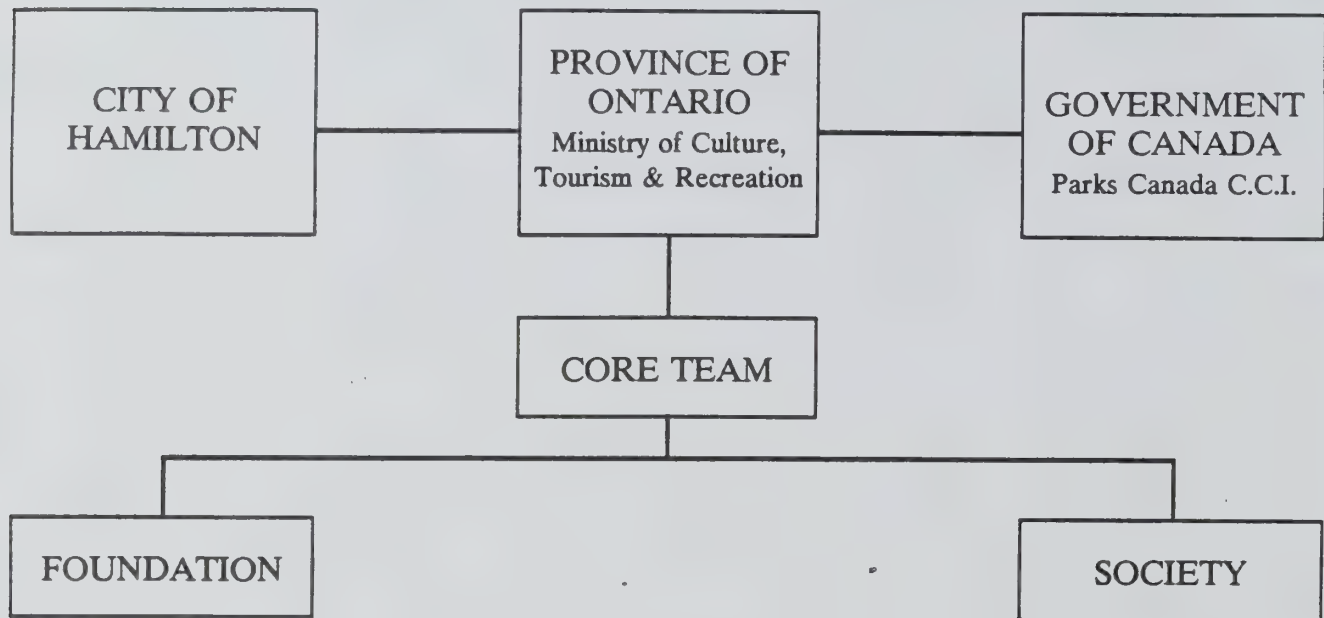
- Province of Ontario - Ministry of Culture, Tourism and Recreation Archaeological Research Branch
 - To be included and in receipt of all core team happenings for participation, support, assistance and partnership.
- Government of Canada
 - a) PARKS Canada
 - To be used in a resource capacity, primary function the provision of advise and consultation.
 - b) Canadian Conservation Institute
 - To be used in a resource capacity, primary function the provision of advise and consultation.
- John Ames
 - John brings to the core committee, a naval background, a wealth of historical knowledge, - task to assist in the development statements of historical significance to determine a proper research perspective. John also brings a long commitment and involvement with the Hamilton and Scourge Project.

This CORE TEAM will be charged with:

- Review the Hamilton Scourge Feasibility Study in relation to analyzed W.H.O.I. data.
- To discuss the recommended short and long range projects as presented in the 1990 Jason Archaeological Report.
- Develop a renewed foundation with senior levels of government.
- To clearly present a sequence of events.
- The ability and provision to access wide areas of relevant expertise
- Most importantly a chain of command and a process of decision making.
- To create and identify "spin offs" with private sector partners to build a scientifically-based successful programme around the vessels.

A LOOK AT THE ORGANIZATIONAL STRUCTURE...

HAMILTON SCOURGE ORGANIZATIONAL STRUCTURE



This organization structure operates in a stream lined manner and provides the foundation for building competency and trust.

This organization structure operates in a stream lined manner and provides the foundation for building competency and trust. All participants can clearly understand their roles.

There will be need to assemble of a technical committee of professional on an ad-hoc basis who respond with the relevant expertise required to address the operational sequence of events. This is where the expertise of C.C.I.W., Wood Hole Oceanographic Institute, etc. support and assist in the Project's operational plan.

Section # 3

BUSINESS PLAN

The Business Plan need not be complex but flow from an agreed mandate.

No one can doubt that the remains of the Hamilton and Scourge represent important national, and in certain respects, international heritage resources. As the sites have received extensive publicity, any future work, subjected as it would to world-wide scrutinizing, has to be conducted in a proper manner. It must be free of controversy and must meet acceptable scientific and ethical standards.

Project Goals

The Hamilton and Scourge Project has been organized to investigate, recover, preserve and develop these unique and important resources. Accomplishing these goals will require a systematic archaeological investigation supported by sophisticated engineering, complex conservation, curation, innovation display, and interpretation. Within the context of those overall goals, a complex series of objectives must be met.

Objectives

The first objective is to generate sufficient data to support basis decisions about on-site archaeology, engineering, conservation, display and interpretation.

Methodology and Rationale

Before the site is revisited, all in-hand data must be exhaustively studied and interpreted. Only by knowing what we have, can what we need be ascertained. Success is only achievable if the work is fully understood and defined. It is here that the Project's credibility and acceptance has experienced a shortfall.

The previous dives including the Jason Project have provided a tremendous amount of raw data. Simply put this wealth of information has not been processed into an accessible format which can be reduced, studied and translated. It is imperative that we implement a data base and management plan.

Data Base Management

The project is being conducted in phases in order to give us strategic information for identification, dating, and archaeological interpretation; collect engineering data for eventual lifting and raising; conservation data and interpretation so as to enable the determination of the actual condition of the ship and its associated artifacts; and also provide information on the degree of success of a particular conservation treatment procedure.

Our current status presents a long awaited "Data Reduction Phase" whereby both acoustic and optical data acquired in 1990 using state-of-the-art technology needs to be reduced and studied. In preparation for the next phase "The Conservation Sample Recovery Programme."

The massive electronic database in Woods Hole is digitally-based at source. This information needs to be translated into imagery by special computers; sorted by increasing X and Y posits in relation to the HAMILTON and SCOURGE and merged with SHARPS (Sonic high frequency ranging and positioning systems) and Spot range.

The data is not yet in our possession and remains yet unedited. ESC times have NOT been checked with the precision necessary to do a proper final merge with the other time series data streams. Only after these anomalies are streamlined, can we begin to translate the data into imagery.

Reduction of this data will enable us to create a computer grid for the site for use in the Conservation Sample Recovery Programme in the next phase, where test sample will be retrieved for study.

It will enable us to create a permanent record of spatial distribution and relationships of associated artifacts into the debris fields that (a) will be retrieved for sampling purposes or temporary surface examination, or (b) moved from one location to another and backfilled into sediment underwater for staged artifacts retrieval or to providing access to the ships.

It will be used to identify corridors of access to the two ships for obtaining superficial and core samples of architectural elements.

In addition to planning for the Conservation Sampling, it will also serve an archaeological function for interpreting:

- the dynamics of sinking
- natural and man-made post-sinking disturbances,
- ship architecture, and
- ship organization
- interpretation of the ships in the context of the historical period which produced them

The Data Base Management Plan is imperative for our future, the information provides the foundation to the future. It becomes the evaluating tool for all future developments visual records, acoustical surveys and integrity assessment. Most importantly it is component necessary to close and finalize the 1990 Licence requirements, which presently remains outstanding.

The collaboration between the levels of government, if to continue focuses on the establishment of a Data Base Management Plan. Each level of government has clearly indicated the priority for the establishment of the data base.

The Operational Review, the Core Team and Data Base Management Plan inaugurates new awareness initiatives for the Project which can result in much needed support and sustainability.

The Project would be on the leading edge in technology, the first in Canada to possess such recent technology. The provision for such technology enables the Project to conduct research and analyze raw digital data into photo imagery. The technical know how and the equipment provides a wealth of knowledge and expertise that would serve as a valuable tool for both the project and training and development opportunities in the fields of archaeology, engineering and conservation.

We would be positioned to publish papers both nationally and internationally, enhance and broaden our speaking opportunities on a international scale, attract a larger focus in public, fundraising and field support. We would have the capacity to assist in the educational training in the fields of conservation, engineering and archaeology.

Section # 4

RECOMMENDATIONS

Proposed herein is the provision for the HAMILTON and SCOURGE Project to obtain a Data Base Management System.

- (a) That the Project execute an agreement with Phil Wright for the position of Contractual Archaeologist. Phil has a long history with the project and the expertise necessary in our operational review and will contribute to our goals of sustainability and a future for the project. The position for an archaeologists is critical for three reasons:

1. satisfying 1990 license requirements
2. for the preparation of the next phase - Conservation Sample Recovery Dive, 1995.
3. for building a successful program around the two vessels.

The number of days of service and tasks to be conducted are to be discussed and will be set out in letter of engagement. Preliminary discussions with Phil indicate a requirement of 2 to 7 days a month, with work station commitments that are compatible, upgraded to handle processed data and apart of the communications network.

Current funds are available in the Hamilton Scourge operating account for Consultant Services -Interpretive.

- (b) That the project be provided with the ability to access and retrieve imagery data collected by the Woods Hole Oceanographic Institution (WHOI) for the JASON Foundation for Education. In particular this imagery data consists of, but in not limited to, the following:
- o Processed Electronic Still Camera Images
 - o Processed 35 mm Film Images

- Images Mosaics
- Selected Real-Time Video Images

Included within this specification is an image archive/data management system. This system will allow the exact description of single-frame images to be stored and accessed through a variety of different means. The image archive software and database information will be resident upon a personal computer, and will allow the user to sort images by data fields. Each data field will constitute a set image descriptor parameter as defined by WHOI and the Project. Some example data fields would be: Time, X/Y Position, Data type, and Object Imaged. This data base will also be thesaurus-driven in the sense that the software will allow for different users or terms to be used and still relate to the same image. Storage and access to other HAMILTON-SCOURGE data sets from previous years' expeditions will also be attempted.

- (c) Labour estimates for this project are on a best-case, assuming that the project will provide someone in residence at Woods Hole for assistance in the image transfer and operations, and to take part in system training.
- (d) That the Project Conservator and Contractual Archaeologist take the necessary action to attend Woods Hole to begin the work and training sessions.
- (e) That the capital dollars (\$74,000.) currently allocated for the development of a Conservation Laboratory be re-appropriated to purchase the raw data and equipment necessary for the Data Base Management System.
- (f) That the Conservation Treatment Laboratory development be put on hold until all raw data is analyzed and Project is positioned for the next phase, "Conservation Sample Recovery Programme".

Present status of Lab and what we are in receipt of is:

- complete Design Plans and cost estimates for an upgraded conservation lab
- common equipment required for a standard conservation lab design in relation to mechanical, electrical and structural reference, ie. Freeze Dryer, combination frig/freezer, air abrasive unit.

With the analysis of raw data and test samples still outstanding, and if we are successful in the establishment of the data base management system, we are still approximately 16 months from the Conservation Sample Recovery Programme, and 3 1/2 years away for a conservation treatment lab which will be required during the Sample Retrieval Phase currently estimated to be in 1997/98.

In the meantime, funding alternatives can be explored as the data base management plan is implemented.

- (g) That the contract of Project Conservator's be a one-year contract. The Project Conservator's key role will be to administer the Data Base Management Plan with the support and assistance from the Contractual Archaeologist. This work will take approximately one year to complete.

This approach will provide the HAMILTON and SCOURGE Project with the best means to analyze and store their data while offering a new approach to revisit and integrate past data sets.

If all is approved, the core team is in place and work commences immediately we will be positioned for an early 1995 Conservation Sample Recovery Dive.

Section # 5

CONCLUSIONS

This report has been prepared in consultation and calibration with the Ministry. It provides the defined approach for the short and long term planning of the Project. It is clearly a recommended and long overdue approach towards a "desirable" and "sustainable" future for the Project.

If recommendations are approved, this will be the cornerstone for the Project both in terms of direction, partnership and support.

1993 November 30

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-SECOND** Report for 1993 and respectfully recommends:

1. (a) That the City repeal Lotteries Licence By-law 92-006 and enact a new by-law to license lotteries, reflecting the recent Provincial changes to the City's powers, including:
 - (i) A new Provincial Order-in-Council, new Terms and Conditions and an official policy manual for the issuance of lottery licences; and,
 - (ii) The added power to license Media Bingos; and,
 - (iii) Increased prize levels for other municipal licences; and,
 - (iv) Increased authority over licensing and investigations; and,
 - (v) Increases in licence fees for break open tickets to 3% of prizes; and,
 - (vi) Increases in lottery fees for bazaars to 3% of prizes and \$10. per wheel of fortune; and,
- (b) That the City Solicitor be authorized to prepare the necessary by-law.
2. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 26753/91 by the payment to the Plaintiff, Patricia Cameron, of the sum of \$3,000., inclusive of all damages, interest and costs; and,
- (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
- (c) That Ontario Court (General Division) Action No. 26753/91 and any and all crossclaims be dismissed without costs.

1993 November 30

3. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 22799/90 on the following terms:
 - (a) That the City pay to the Plaintiffs \$3,000., inclusive of all damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release of the City of Hamilton in a form satisfactory to the City Solicitor; and,
 - (c) That the Plaintiffs' action and all crossclaims be dismissed without costs.
4. That Mr. Mark Mascarenhas's contract as General Manager, Municipal Non-Profit (Hamilton) Housing Corporation for the City of Hamilton be renewed for a five-year period commencing 1993 November 12, under the terms and conditions as set out in the employment contract.
5.
 - (a) That approval be given to the request of the Culture and Recreation Department to use the City Hall Forecourt and related equipment on Friday, 1993 December 31 from 4:00 p.m. to 1:30 a.m. for New Year Celebrations; and,
 - (b) That access be provided to the City Hall Washrooms during this event; and,
 - (c) That the City Clerk be authorized to approve of a similar event in future years provided it does not conflict with any other activity.
6.
 - (a) That approval be given to the request of the Advertising & Sales Club to use the second floor lobby from 1993 November 23 to December 2 for the Advertising & Sales Club Ace Awards Display; and,
 - (b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.
7. That approval be given to the request of the Hamilton-Wentworth Council on Police, Race and Community Relations to use a City Hall meeting room on the third Monday of each month from 7:30 p.m. to 9:30 p.m. for the purpose of their monthly Council meetings.

1993 November 30

8. (a) That approval be given to the action taken by the City Clerk in authorizing the Hamilton Tiger Cat Football Club to use:
- (i) The City Hall forecourt for a Tiger Cat Rally and the first floor for officials and team members on Saturday, 1993 November 13 from 1:00 - 2:00 p.m.; and,
- (ii) The City Hall forecourt for a Rally and the second floor for a reception on Thursday, 1993 November 18 from 6:15 p.m.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
9. That approval be given to cancel the regularly scheduled meeting of City Council on 1994 January 11th.
10. (a) That Section 16 of the Eighteenth Report of the Finance and Administration Committee as adopted by City Council on 1993 September 28, be amended by increasing the area leased from 750 square feet to 1,508 square feet with the final area to be confirmed by the Survey Department; and,
- (b) That the rental rates be adjusted accordingly based on a rate of \$5. per square foot (Gross); and,
- (c) That the City Solicitor be authorized to amend the Lease Agreement.
11. That the City Treasurer be directed to close the following capital project account with the excess funding to be transferred to its original source of financing.

CAPITAL CENTRE #	PROJECT DESCRIPTION	AUTHORIZED GROSS COST	EXPENDED/ COMMITTED TO DATE	BALANCE AVAILABLE	SOURCE OF FINANCING
488851001	Pump Truck for Upper Wellington Fire Station	\$ 300,000.00	\$ 230,151.27	\$ 69,848.73	Reserve for Capital Projects

12. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1993 November 16, attached herewith and marked Appendix "A", be approved.

1993 November 30

13.
 - (a) That a grant in the amount of \$2,000. be approved for the Hamilton Hurricanes Football Club Inc. to offset its costs associated with participation in the National Junior Football Championships being held in Regina, Saskatchewan on 1993 November 13th; and,
 - (b) That this grant be financed from within the 1993 Grant Budget, and any overdraft offset by any General 1993 surplus.
14.
 - (a) That a Terms of Reference be prepared for a comprehensive audit of the Information Systems Department; and,
 - (b) That the City and Region form a joint Steering Committee for the Study to approve the Terms of Reference, select and recommend a Consultant, and provide guidance and direction to the Study; and,
 - (c) That the Steering Committee be comprised of the Chair and Vice Chair of the Finance and Administration Committee and the CAO; and,
 - (d) That the Region be invited to add the Chair and Vice Chair of the Administration Services Committee and the Regional CAO (or alternates) to the Steering Committee; and,
 - (e) That the Manager of Purchasing be authorized to issue a Request for Proposals to Consulting firms for the comprehensive audit based on the Terms of Reference for the Study; and,
 - (f) That the estimated cost of the comprehensive audit (\$150,000.) be shared equally between the City of Hamilton and the Region of Hamilton-Wentworth; and,
 - (g) That the City's share of \$75,000. be financed as an overdraft to the Comprehensive Audit Cost Centre to be financed from any 1993 General Surplus.
15. That the 1994 invoice for \$124,696. (plus GST) from Dunn and Bradstreet Software (formerly Management Science America) be authorized for payment from Account CH 5609X-26021 (User Software).

16. (a) That Microcomputer workstations be acquired in accordance with the following:

<u>Description</u>	<u>Supplier</u>	<u>Price</u>	<u>Comment</u>
NEC 486-SX Microcomputers	4 Office Automation Burlington	\$1,744.	lowest acceptable of 20 proposals

- (b) Funding to be provided from Account # CH56605-26032 (Workstation Leasing).
17. (a) That Greyvest Leasing of Toronto provide leasing services for microcomputer workstations and printers at the rate of \$28.34 /\$1,000./month for 36 months (the lowest of nine proposals received); and,
- (b) That the term of the lease agreement be to 1994 November 30th, with an option in favour of the City to extend for the balance of the lease term; and,
- (c) That decisions to lease or purchase be made in each case, in consultation with the Treasurer; and,
- (d) That the Mayor and the City Clerk be authorized to execute any amendments to the master lease agreement and that the agreement be in a form satisfactory to the City of Hamilton Solicitor (the City of Hamilton is the lessee); and,
- (e) That funding be provided from Account # CH56605-26032 (Workstation Leasing).
18. That the space above the Underground Parking Garage, Main Street West, surrounded by the Art Gallery and Hamilton Place, currently known as Commonwealth Square be renamed "The Irving Zucker Sculpture Court on Commonwealth Square".

1993 November 30

19. (a) That the existing Votamatic Election System be used until such time as City Council directs that a new system be acquired or the existing system becomes unreliable, and that the replacement of the election system be removed from the 1993 Capital Budget; and,
 - (b) For the information of the members of City Council, the Finance and Administration Committee has established a Task Force to be comprised of three members of City Council to work with the City Clerk to review a need for more polling locations to be available and a need to revise the regulations to allow Deputy Returning Officers and Poll Clerks to provide more assistance to voters in the use of the Votamatic Election System. The Task Force will report back in two month's time.
20. That the following City of Hamilton resolution be forwarded to the Association of Municipalities of Ontario for its support:

WHEREAS Section 171 of the Highway Traffic Act prohibits the making or conveying of an offer of tow truck services within 200 metres of the scene of any accident, or of any vehicle involved in an accident on a King's Highway; and,

WHEREAS Section 171 of the Highway Traffic Act does not extend this same prohibition within municipal boundaries; and,

WHEREAS solicitation at the scenes of accidents is an ongoing problem for Police Authorities and the citizens who are involved in accidents; and,

WHEREAS as a result of this solicitation, Police Authorities may be hampered in their investigation of an automobile accident and accident victims are pressured into having their vehicle towed to a particular shop for repair.

THEREFORE BE IT RESOLVED that the Association of Municipalities of Ontario request the Minister of Transportation and Communication to amend the Highway Traffic Act to prohibit solicitation within 200 metres of an accident scene or vehicle involved in an accident within municipal boundaries.

21. (a) That vehicles for hire, providing transportation exclusively for preschool children be exempted from Schedules 4 and 4a of By-law 93-069 on the basis that these vehicles:
- (i) provide the transportation under contract; and,
 - (ii) operate in a manner distinct from a taxi.
- (b) That for the purposes of this recommendation, the following shall apply:
- (i) Preschool children means children under six years of age; and,
 - (ii) Taxi means vehicles with the following features:

Providing transportation on demand, where the location of boarding of the passenger and the destination is unknown in advance of the request of the passenger, where the passenger chooses the destination, where there is no set route, schedule or stops for boarding, and where any repeat or regular trips are made based on a passenger's need for transportation without a relation to the special features of the vehicle,

and "distinct from taxi" means lacking one or more of the features of a taxi; and,
 - (iii) Contract means a written agreement to provide regular transportation services, with a term of at least one month, with fees for service fixed in the agreement and not by the metering of time or mileage of actual trips, for the taking of passengers to or from a specific location, or to accommodate a special need in common to the passengers in addition to transportation and includes an agreement that is with a facility.
- (c) That the City Solicitor prepare the appropriate amending by-law.
22. (a) (i) That the Regional Chief Administrative Officer be requested to bring back a report on amalgamating the Law Department and Legal Services, Clerks' Departments, and Treasury and Finance Departments, outlining costs, timing, legal implications as well as projecting cost savings and efficiencies; and,

1993 November 30

- (ii) That the necessary resources be made available to the Regional Chief Administrative Officer to complete that task and that he report back to the Single Tier Administration Steering Committee before the end of 1994 January; and,
 - (b) That the total cost of the amalgamation study in the approximate amount of \$15,000. be shared equally between the City of Hamilton and the Region of Hamilton-Wentworth; and,
 - (c) That the City's share of the cost of the Study in the amount not to exceed \$7,500. be financed from the Reserve for Contingency Centre 00115.
23. (a) That the authorized cost of various capital building projects as indicated in the schedule attached herewith and marked Appendix "B", be revised to reflect an overall net funding shortfall of \$431,190. to cover capitalization costs for the Architectural Division, and that this additional net cost be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) in the amount of \$420,990. and the balance from the Reserve for Park Lands (Account Centre No. CH 00201) in the amount of \$10,200.; and,
- (b) That a provision be made within the proposed 1994 Property Department - Architectural Division Current Budget in the amount of \$151,380. to cover costs for non-authorized capital building projects, advisory services, services provided for other City initiatives and non-chargeable administration costs; and,
- (c) That the City Solicitor be authorized to revise the appropriate by-laws for projects previously authorized by the Ontario Municipal Board for debenture financing as identified in column (6) of the Schedule.
24. That funds be allocated from the Reserve for Replacement of Mobile Equipment, Centre No. CH 00101, for the replacement of vehicles in 1994, in the total estimated replacement cost of \$1,332,000., as follows:

Fleet Services	9 vehicles	\$ 870,000.
Fleet Services	misc. other equipment	<u>462,000.</u>
	Total	<u>\$1,332,000.</u>

1993 November 30

25. (a) That the principles of Employment Equity, as presented in the proposed Employment Equity Act and its Draft Regulation, as contained in the Summary attached herewith and marked Appendix "C", be endorsed; and,
- (b) That the Commissioner of Human Resources be directed to develop and implement a strategy to ensure compliance with The Employment Equity Act and its Regulation.
26. For the information of the members of City Council, the Finance and Administration Committee has appointed Joan M. MacDonald and Jennifer Warren to serve on the Hamilton Status of Women Sub-Committee for a term to expire 1994 November 30th.
27. That as referred to in Section 6 of the Eighteenth Report for 1993 of the Planning and Development Committee, the noise studies with respect to the GO Transit service expansion, at a maximum cost of \$7,150. to be undertaken by the Chief Noise Control Officer, Public Works Department, be charged to Cost Centre 60050 "Noise Control" in the Budget of Public Works on an approved overdraft basis subject to sufficient surplus remaining in the accounts of Public Works to absorb this expenditure in 1993.
28. That leave be granted to introduce the following Bills:
- (a) Bill H-62 Lottery License By-law.
- (b) Bill H-63 A By-law to amend By-law 93-069 respecting Vehicles for Hire.
- (c) Bill H-64 A By-law to amend Market By-law No. 92-310 respecting Hamilton Farmers' Market Stand Contract and Market Fees.
- (d) Bill H-65 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 November 25**

Appendix "A" referred
to in Section 12 of the
TWENTY-SECOND Report of the
Finance and Administration
Committee for 1993.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Pasquale Caruso	I	Forester III (D-12)	Public Works	Replacing Mr. D. Pickard - promoted, Sept. 20/93 New Position Council Approved Jan. 28/92	\$35,322.56	Oct. 18/93
Ms. Melissa Gould	I	Community Renewal Officer (26-B)	Public Works	Replacing Ms. H. Milosne - promoted, Sept. 27/93	\$41,140.84 to \$47,607.56	Oct. 4/93
Mr. William McKay	I	Street Sweeper/Flusher Operator (D-14)	Public Works	Replacing Mr. D. Janiscon - promoted, Oct. 4/93 Mr. A. Constantini - retired, Aug. 30/93	\$36,052.64	Sept. 26/93

Prepared November 16/93

Status
Internal - I
External - B

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Hazel Milcove	I	Co-ordinator Community Renewal (A-L)	Public Works	Replacing Ms. J. McNeilly - promoted, Sept. 17/93	\$43,484.48 to \$51,205.44	Sept. 27/93
Ms. Kathleen Smith	I	Lifeguard II (12-I)	Culture & Recreation	Replacing Ms. M. Reilly - promoted, Sept. 6/93 New Position - Council Approved May 26/92	\$31,722.08 to \$34,424.00	Oct. 18/93

Prepared November 16/93

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Ronald Allan	Firefighter I	Fire	Retired	28 yrs, 10 months	Oct. 31/93
Mr. Douglas Anderson	Firefighter I	Fire	Retired	29 yrs, 11 months	Oct. 31/93
Mr. Rick Andrews	Firefighter I	Fire	Retired	31 yrs, 10 months	Oct. 31/93
Mr. Ernie Blundell	District Chief	Fire	Retired	31 yrs, 7 months	Oct. 31/93
Mr. Ronald Bowman	Firefighter I	Fire	Retired	33 yrs, 10 months	Oct. 31/93
Mr. Charles Britton	Firefighter I	Fire	Retired	32 yrs, 2 months	Oct. 31/93
Mr. Carl Cameron	Lieutenant	Fire	Retired	32 yrs, 1 month	Oct. 31/93
Mr. John Cassidy	District Chief	Fire	Retired	34 yrs, 7 months	Oct. 31/93

Prepared November 16/93

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Allan Chalmers	Platoon Chief	Fire	Retired	30 years	Oct. 31/93
Mr. Joseph Choseman	Firefighter I	Fire	Retired	31 yrs, 5 months	Oct. 31/93
Mr. Robert Cober	District Chief	Fire	Retired	32 years	Oct. 31/93
Mr. Dougald Dalgetty	Lieutenant	Fire	Retired	32 years	Oct. 31/93
Mr. John Davidson	Firefighter I	Fire	Retired	34 yrs, 6 months	Oct. 31/93
Mr. Stanley Dickinson	District Chief	Fire	Retired	31 yrs, 5 months	Oct. 31/93
Mr. Robert Divinaki	Captain	Fire	Retired	34 yrs, 5 months	Oct. 31/93
Mr. Gerald Dolman	Firefighter I	Fire	Retired	29 yrs, 9 months	Oct. 31/93

Prepared November 16/93

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. William Dowhan	Firefighter I	Fire	Retired	31 yrs, 6 months	Oct. 31/93
Mr. Frank Frantini	Firefighter I	Fire	Retired	31 yrs, 2 months	Oct. 31/93
Mr. Derek Guiney	Lieutenant	Fire	Retired	31 yrs, 7 months	Oct. 31/93
Mr. Barry Hunt	Fire Inspector I	Fire	Retired	31 yrs, 6 months	Oct. 31/93
Mr. David Johnstone	Firefighter I	Fire	Retired	32 yrs, 2 months	Oct. 31/93
Mr. Douglas Johnstone	Captain	Fire	Retired	33 yrs, 10 months	Oct. 31/93
Mr. Roy Knowles	Firefighter I	Fire	Retired	31 yrs, 7 months	Oct. 31/93
Ms. Lian Lawrence	Solicitor	Law	Resigned	7 years, 6 months	March 31/93

Prepared November 16/93

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. John Lovedy	Firefighter I	Fire	Retired	31 yrs, 11 months	Oct. 31/93
Mr. James McCallum	Platoon Chief	Fire	Retired	34 yrs, 3 months	Oct. 31/93
Ms. Robin McGinlay	Client Serv. Executive	H.E.C.F.I.	Resigned	17 yrs, 4 months	Nov. 05/93
Ms. Jacqueline McNeilly	Co-ord Community Renewal Public Works		Resigned	8 years, 10 months	Sept. 24/93
Mr. Steve Molnar	Lieutenant	Fire	Retired	35 yrs, 10 months	Oct. 31/93
Mr. Stephen Morelli	Captain	Fire	Retired	31 yrs, 6 months	Oct. 31/93
Mr. Robert Mueller	Firefighter I	Fire	Retired	31 yrs, 7 months	Oct. 31/93
Mr. Donald Peters	Fire Prevention Chief	Fire	Retired	29 yrs, 11 months	Oct. 31/93

Prepared November 16/93

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

THE CORPORATION OF THE CITY OF HAMILTON
 TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Clarence Radkowski	Firefighter I	Fire	Retired	29 yrs, 11 months	Oct. 31/93
Mr. Joseph Ricottone	Division Chief Trainer	Fire	Retired	35 yrs, 10 months	Oct. 31/93
Mr. Alan Roberts	Firefighter I	Fire	Retired	31 yrs, 6 months	Oct. 31/93
Mr. John Rumbles	Firefighter I	Fire	Retired	34 yrs, 11 months	Oct. 31/93
Mr. Walter Shrubwell	Firefighter I	Fire	Retired	29 yrs, 11 months	Oct. 31/93
Mr. John Simmons	Lieutenant	Fire	Retired	33 yrs, 10 months	Oct. 31/93
Mr. John Sterne	Firefighter I	Fire	Retired	32 yrs, 10 months	Oct. 31/93
Ms. Wendy Taylor	Administrative Assistant	Clerk's	Resigned	22 years	Oct. 19/93

Prepared November 16/93

Summary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Henry Trench	Firefighter I	Fire	Retired	34 yrs, 5 months	Oct. 31/93
Mr. Robert Trake	Firefighter I	Fire	Retired	28 yrs, 11 months	Oct. 31/93
Mr. Ken White	Firefighter I	Fire	Retired	29 yrs, 11 months	Oct. 31/93
Mr. Raymond Wright	Firefighter I	Fire	Retired	31 yrs, 6 months	Oct. 31/93

Prepared November 16/93

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

Appendix "B" referred
to in Section 23 of the
TWENTY-SECOND Report of the
Finance and Administration
Committee for 1993.

CAPITAL CENTRE NUMBER (1)	PROJECT DESCRIPTION (2)	AUTHORIZED COST FROM (3)	TO (4)	INCREASE/ (DECREASE) (5)	SOURCE OF FINANCING (6)
758841001	Traffic Operations Centre	6,180,000	6,109,970	(70,030)	DEB
709041012	West Mountain Twin Pad Arena	9,545,000	9,874,260	329,260	DEB
488941001	Fire Station No. 2/Stonechurch Rd. & Upper Wellington	1,400,000	1,412,810	12,810	DEB
489241009	Fire Station No. 4/Upper Sherman & Fennell	3,245,000	3,125,260	(119,740)	CAP LEVY
709041013	Sackville Hill Seniors' Recreation Centre	3,694,000	3,766,520	72,520	DEB
709241002	Chedoke Pool/New Changerooms	270,000	175,000	(95,000)	RCP
319141005	Treasury Department/Renovations	400,000	421,840	21,840	RCP
709141006	Hamilton Tennis Club Field House	486,000	604,280	118,280	RCP
629054019	Staff Facilities Building/Gage Park	460,000	464,130	4,130	DEB
629054018	Track & Field House/Mohawk Sports Park	440,000	442,630	2,630	DEB
709041011	Mountain Arena Twinning	2,046,590	2,058,220	11,630	RCP
329241002	Computer Relocation and Renovations-City Hall	567,000	628,590	61,590	RCP
719141002	Dundurn Castle Restoration	1,308,500	1,321,480	12,980	RCP
719141007	Whitehern Restoration	676,510	694,460	17,950	RCP
718941001	Steam Museum Pumphouse Restoration	111,590	143,220	31,630	GRANTS
629154004	Montgomery Park Field House	160,000	161,200	1,200	RPL
419154007	Pier Four Park Buildings	400,000	409,000	9,000	RPL
709341015	Wading Pool and Landscaping/Huntington Park	100,000	101,370	1,370	RCP
419355013	Harbourfront Development Study	300,000	307,140	7,140	RCP
TOTALS		<u>31,790,190</u>	<u>32,221,380</u>	<u>431,190</u>	

Regulatory Requirements Under The Employment Equity Act

The Regulation sets out a three-step process which must be undertaken in order to comply with The Act. It also outlines specific requirements regarding retaining and reporting information, filing certificates with the Employment Equity Commission and employee participation.

1. The Workforce Survey

Every Employer will be required to conduct a workforce survey to determine the composition of its workforce, specifically, how many members of designated groups are in the workforce at a particular time.

Prior to conducting this survey, the Employer is required to provide employees with information about the principles of employment equity so that employees have a clearer understanding of why the survey is being conducted and why policies and practices are being reviewed.

Every employee of the Employer at the time the survey is originally conducted must receive a survey. Every employee who subsequently wishes to identify him or herself as belonging or no longer belonging to a designated group or every person who subsequently becomes an employee of the Employer must be given a survey form to complete.

The workforce survey must state that:

- a) completion of the survey is voluntary, however, whether or not an employee chooses to answer the questions, the survey must be returned;
- b) information collected from the survey shall be kept confidential and not be disclosed or used except for the purpose of complying with the legislation;
- c) the Employer must be able to identify each person who returns a survey;
- d) Employers will provide assistance to any employee who needs help in filling out the survey.

When the survey is complete, the Employer must determine how many members of each designated group work in each occupation group. Every Employer will be required to conduct a new survey after nine (9) years.

2. Review of Employment Policies and Practices

Every Employer shall identify and review their employment policies and practices, both formal and informal, with respect to:

- a) hiring of employees;
- b) promotion of employees;
- c) training of employees and the evaluation of their performance;
- d) termination of employees;
- e) determination of salaries and benefits;
- f) accommodation of special needs of members of the designated groups, i.e. physical access to the workplace, flexible working hours.

Every Employer shall determine which policies or practices reviewed contains a barrier to the hiring, retention or promotion of members of the designated groups.

A policy or practice will be considered a barrier if it has a direct or indirect negative impact on members of designated groups.

3. The Employment Equity Plan

Once the barriers to employment have been identified, Employers and employees must decide how to eliminate these barriers and how to make the workplace more representative of the community. The plan shall be in effect for three years from the date in which the Employer was required to prepare it.

Each Employer's employment equity plan must:

- a) list each barrier that the Employer has identified as a result of the review;
- b) identify those barriers that will be eliminated before the end of the plan and set out a process and timetable for their elimination;
- c) identify qualitative (non-numerical) measures that the Employer has developed and implemented;
- d) identify qualitative measures that the Employer has not yet implemented and outline a process and timetable for implementation;
- e) set out goals and timetables for the development and implementation of qualitative measures that have been identified but not yet developed.
- f) set out numerical goals for each of the designated groups in each occupational group in the Employer's workforce;

g) set out the process by which the Employer intends to monitor the development and implementation of the goals and timetables set out in the plan and identify who will be responsible for carrying out the monitoring.

4. Retaining and Reporting Information

The Draft Regulation specifies how information is kept and reported. Every Employer must prepare a report on or before the day that is six months after the beginning of the term of the first plan.

This report must contain the following information:

- a) the number of employees in each occupation group and the number of designated group members among those employees at the beginning of the term of the plan;
- b) the number of permanent full-time, permanent part-time, term and seasonal employees and the number of designated group members among those employees at the beginning of the term of the plan;
- c) the total number of employees who filled out and returned a workforce survey before the beginning of the term of the plan;

Employers with 500+ employees must also provide information about the number of designated group members in four salary range groups for each occupational group.

5. Filing Certificates with the Employment Equity Commission

The Certificate which must be filed by the Employer with the Commission shall be signed by the Chief Executive Officer of the Employer on or before the day that is six months after the beginning of the term of the plan.

The first certificate shall include a statement that:

- a) the Employer has provided the information and carried out the consultations required by the Regulation;
- b) the Employer has conducted the workforce survey, completed the review of the employment practices and policies and prepared an employment equity plan;
- c) outlines the number of employees in the Employer's workforce and the number of members of each of the designated groups among those employees at the beginning of the term of the plan;

d) the Employer has prepared the report required under the Regulation respecting the first plan; and

e) identifies where the Commission may obtain a copy of the report.

6. Employee Participation

When the Employer's employees are represented by more than one bargaining agent, a coordinating committee shall be established. This committee shall be established at least twelve months before the date by which the Employer is required to prepare the employment equity plan.

This committee shall be composed of one representative of each of the bargaining agents and a number of representatives of the Employer not to exceed the total number of the representatives from the bargaining agents.

The Employer and the bargaining agents shall each select their representative who will be responsible for carrying out the responsibilities of the committee.

The committee shall determine such factors as which responsibilities will be carried out by the committee; by the Employer and individual bargaining agents; or by any other means determined by the coordinating committee.

Any employee selected by the bargaining agent to sit on this committee is entitled to whatever time is required from his or her place of work that the Employer and the bargaining agent agree is necessary to attend meetings, prepare for meetings or to carry out any duties that arise from any of those meetings.

1993 November 30

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **FIFTH** Report for 1993 and respectfully recommends:

1. Approval of the following Citizen Appointments:

	<u>Term of Office to Expire</u>
A. Hamilton Entertainment and Convention Facilities Inc.	
(i) _____	1996 December 31
(ii) _____	1996 December 31
(iii) _____	1996 December 31
B. Hamilton Civic Hospitals Board of Directors	
(i) _____	1997 December 31
(ii) _____	1997 December 31
Hamilton Civic Hospitals Foundation Nominees	
(i) <u>Renate Davidson</u> _____	1997 December 31
(ii) <u>John Spears</u> _____	1997 December 31
C. Keep Hamilton Clean Committee	
(i) _____	1996 November 30

1993 November 30

Term of Office to
Expire

D. Property Standards Committee

(i) _____

1996 November 30

RESPECTFULLY SUBMITTED,

MAYOR R.M. MORROW
CHAIRMAN
NOMINATING COMMITTEE

J. J. Schatz
Secretary
1993 November 30

COMMITTEE OF THE WHOLE

BILLS

CITY COUNCIL

1993 NOVEMBER 30

URBAN A

NOV 1993

GOVERNMENT DOCUMENTS

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 73-303

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 305 AND 307 MAIN STREET WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 73-303 on the 13th day of November 1973 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "D" District, in respect of the land located on the south side of Main Street south in the area between Locke Street and Queen Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 25th day of February 1974, (File No. R 74255);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 15th Report of the Planning and Development Committee at its meeting held on the 26th day of October 1993, recommended that Zoning By-law No. 6593, as amended by By-law No. 73-303 be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, as amended by By-law No. 73-303, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10.(1) of By-law No. 6593, a multiple dwelling containing a maximum of five (5) dwelling units shall be permitted, and two (2) ground floor dwelling units may be converted to one or more of the following uses, provided that the maximum gross floor area of each unit shall not exceed 96 m²:

1. Commercial Uses:
 - (i) Professional Office or Business Office, excluding a Medical and Dental Office;
 - (ii) Photographer's Studio, Artist's Studio;
 - (iii) Barber Shop, Hairdressing Establishment, Beauty Parlour;
 - (iv) Tailor Shop, Dressmaking Establishment.
2. Commercial Boutique Type Uses:
 - (i) Music and Record Shop;
 - (ii) Gift Shop;
 - (iii) Art Gallery;
 - (iv) Retail Book Store;
 - (v) Wearing Apparel Shop, Millinery Shop.
3. The following accessory use to the commercial uses permitted under paragraphs 1. and 2. of subclause (a):
 - (i) one ground sign or wall sign or projecting sign, in accordance with the following:
 1. it shall not exceed 0.37 m² (4 sq. ft.) in area;
 2. it shall not be illuminated in any manner other than non-flashing, indirect or internal; and
 3. it shall be located not less than 1.5 m (5 ft.) from the nearest street line;
 - (b) Sections 10.(3)(i) and (3)(ii) of By-law No. 6593 shall not apply;
 - (c) a minimum of five (5) parking spaces shall be provided and maintained on-site;
 - (d) notwithstanding Section 18A(7) of By-law No. 6593, the required parking spaces shall have a minimum length of 5.8 m;
 - (e) notwithstanding Sections 18A(11)(a) and (12)(a) of By-law No. 6593, a minimum 0.6 m wide landscape planting strip shall be provided and maintained along the easterly and westerly lot lines of the parking area, and a minimum 1.0 m wide landscape planting strip shall be provided and maintained along the southerly lot line;
 - (f) notwithstanding Section 18A, Table 6 of By-law No. 6593, the required manoeuvring space aisle width for a required parking space shall be a minimum of 5.8 m.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1316.

4. Sheets No. W-12 and W-13 of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1316.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1993

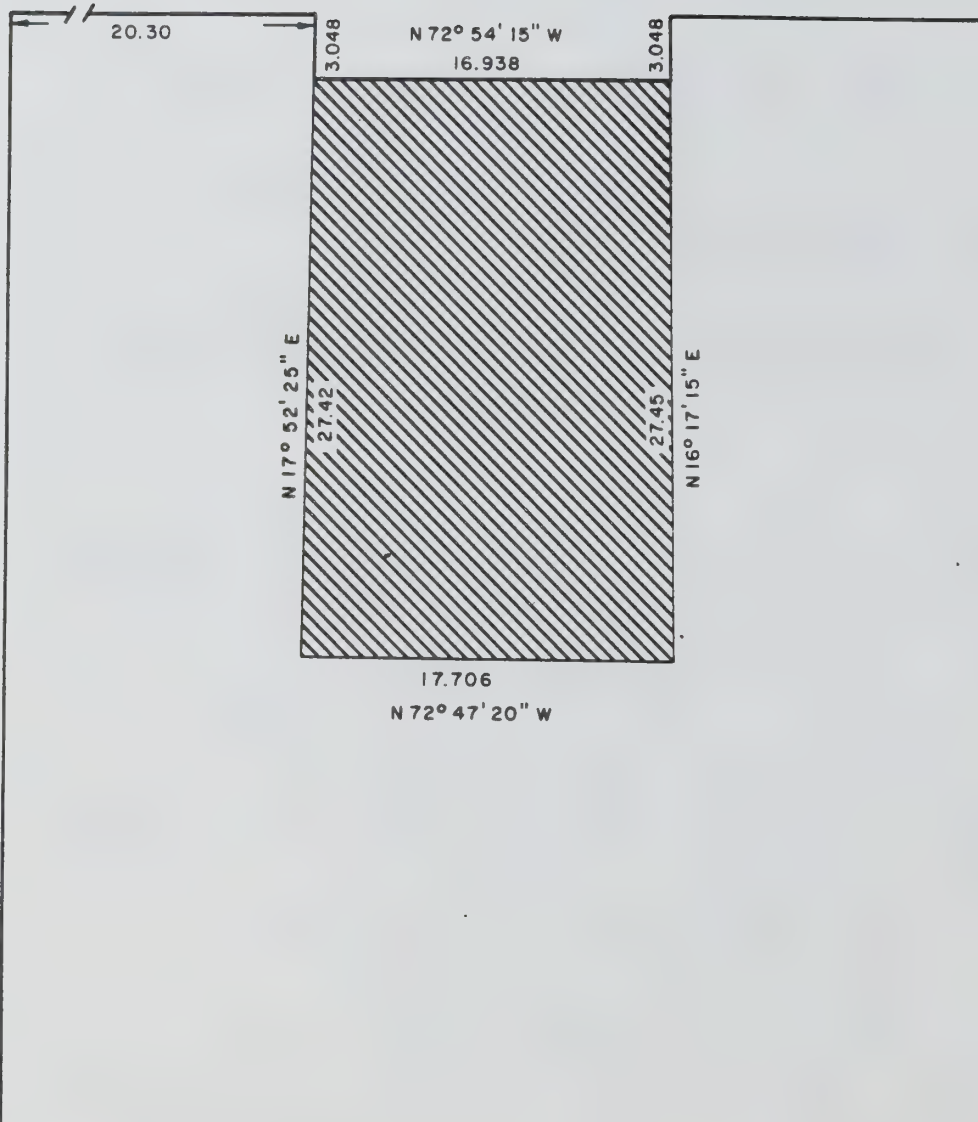
CITY CLERK

MAYOR

(1993) 15 R.P.D.C. 1, October 26
Mr. W. Heck, Owner
Amended ZAC-93-24

MAIN STREET WEST

PEARL STREET SOUTH



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93 -
Passed the day of, 1993.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 93 -

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 93 -

North



Scale
NOT TO SCALE

Date
OCTOBER 1993

Reference File No.
ZAC-93-24

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 92-003

and To Repeal Zoning By-law No. 93-087

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1341 UPPER JAMES STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 92-003 on the 10th day of December 1991 to change the zoning and to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the above-captioned lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Ontario Municipal Board by its Decision and Order (File No. R 920072), dated the 27th day of January 1993, as further amended by the Board on April 8, 1993, directed that By-law No. 92-003 be amended to include the site plan in the form attached;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 93-087 on the 13th day of April 1993 to amend By-law No. 92-003 by adding thereto Schedule "B", being the site plan;

AND WHEREAS the Ontario Municipal Board approved a revised site plan, submitted by the applicant, and directed that the said revised site plan be attached to By-law No. 92-003, as hereinafter provided;

AND WHEREAS By-law No. 93-087 is redundant and can therefore be repealed;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 93-087 is hereby repealed in its entirety.

2. By-law No. 92-003, passed on the 10th day December 1991, is amended by adding thereto Schedule "B", hereto annexed as Schedule "A" and forming part of this by-law.

2. In all other respects, By-law No. 92-003 is hereby confirmed, unchanged.

PASSED this day of

A.D. 1993

CITY CLERK

MAYOR

(1991) 10 R.P.D.C. 19, June 25
Ontario Municipal Board Decision,
and Order dated January 27, 1993
W. Alex Hemstreet, Owner
Amended ZA-91-14

PART LOT 14 CONCN 7
TWP. OF EASTON
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

DETAIL OF DEVELOPMENT

LOT AREA 61,771.1 m²
BUILDING AREA 250.00 m² TOTAL
BUILDING HT. 7.5 m
PARKING 24 SPACES (50000)
SEWERAGE 1.0000

1. 100% (100% FILL) (100% FILL)
2. 100% (100% FILL) (100% FILL)
3. 100% (100% FILL) (100% FILL)
4. 100% (100% FILL) (100% FILL)
5. 100% (100% FILL) (100% FILL)
6. 100% (100% FILL) (100% FILL)
7. 100% (100% FILL) (100% FILL)
8. 100% (100% FILL) (100% FILL)
9. 100% (100% FILL) (100% FILL)
10. 100% (100% FILL) (100% FILL)
11. 100% (100% FILL) (100% FILL)
12. 100% (100% FILL) (100% FILL)
13. 100% (100% FILL) (100% FILL)
14. 100% (100% FILL) (100% FILL)
15. 100% (100% FILL) (100% FILL)
16. 100% (100% FILL) (100% FILL)
17. 100% (100% FILL) (100% FILL)
18. 100% (100% FILL) (100% FILL)
19. 100% (100% FILL) (100% FILL)
20. 100% (100% FILL) (100% FILL)
21. 100% (100% FILL) (100% FILL)
22. 100% (100% FILL) (100% FILL)
23. 100% (100% FILL) (100% FILL)
24. 100% (100% FILL) (100% FILL)
25. 100% (100% FILL) (100% FILL)
26. 100% (100% FILL) (100% FILL)
27. 100% (100% FILL) (100% FILL)
28. 100% (100% FILL) (100% FILL)
29. 100% (100% FILL) (100% FILL)
30. 100% (100% FILL) (100% FILL)
31. 100% (100% FILL) (100% FILL)
32. 100% (100% FILL) (100% FILL)
33. 100% (100% FILL) (100% FILL)
34. 100% (100% FILL) (100% FILL)
35. 100% (100% FILL) (100% FILL)
36. 100% (100% FILL) (100% FILL)
37. 100% (100% FILL) (100% FILL)
38. 100% (100% FILL) (100% FILL)
39. 100% (100% FILL) (100% FILL)
40. 100% (100% FILL) (100% FILL)
41. 100% (100% FILL) (100% FILL)
42. 100% (100% FILL) (100% FILL)
43. 100% (100% FILL) (100% FILL)
44. 100% (100% FILL) (100% FILL)
45. 100% (100% FILL) (100% FILL)
46. 100% (100% FILL) (100% FILL)
47. 100% (100% FILL) (100% FILL)
48. 100% (100% FILL) (100% FILL)
49. 100% (100% FILL) (100% FILL)
50. 100% (100% FILL) (100% FILL)
51. 100% (100% FILL) (100% FILL)
52. 100% (100% FILL) (100% FILL)
53. 100% (100% FILL) (100% FILL)
54. 100% (100% FILL) (100% FILL)
55. 100% (100% FILL) (100% FILL)
56. 100% (100% FILL) (100% FILL)
57. 100% (100% FILL) (100% FILL)
58. 100% (100% FILL) (100% FILL)
59. 100% (100% FILL) (100% FILL)
60. 100% (100% FILL) (100% FILL)
61. 100% (100% FILL) (100% FILL)
62. 100% (100% FILL) (100% FILL)
63. 100% (100% FILL) (100% FILL)
64. 100% (100% FILL) (100% FILL)
65. 100% (100% FILL) (100% FILL)
66. 100% (100% FILL) (100% FILL)
67. 100% (100% FILL) (100% FILL)
68. 100% (100% FILL) (100% FILL)
69. 100% (100% FILL) (100% FILL)
70. 100% (100% FILL) (100% FILL)
71. 100% (100% FILL) (100% FILL)
72. 100% (100% FILL) (100% FILL)
73. 100% (100% FILL) (100% FILL)
74. 100% (100% FILL) (100% FILL)
75. 100% (100% FILL) (100% FILL)
76. 100% (100% FILL) (100% FILL)
77. 100% (100% FILL) (100% FILL)
78. 100% (100% FILL) (100% FILL)
79. 100% (100% FILL) (100% FILL)
80. 100% (100% FILL) (100% FILL)
81. 100% (100% FILL) (100% FILL)
82. 100% (100% FILL) (100% FILL)
83. 100% (100% FILL) (100% FILL)
84. 100% (100% FILL) (100% FILL)
85. 100% (100% FILL) (100% FILL)
86. 100% (100% FILL) (100% FILL)
87. 100% (100% FILL) (100% FILL)
88. 100% (100% FILL) (100% FILL)
89. 100% (100% FILL) (100% FILL)
90. 100% (100% FILL) (100% FILL)
91. 100% (100% FILL) (100% FILL)
92. 100% (100% FILL) (100% FILL)
93. 100% (100% FILL) (100% FILL)
94. 100% (100% FILL) (100% FILL)
95. 100% (100% FILL) (100% FILL)
96. 100% (100% FILL) (100% FILL)
97. 100% (100% FILL) (100% FILL)
98. 100% (100% FILL) (100% FILL)
99. 100% (100% FILL) (100% FILL)
100. 100% (100% FILL) (100% FILL)

PLANT	NO	HEIGHT	CANOPY	SPECIES
1. CROWN	11	4.5 m	100%	PRINCE OF WALES
2. CROWN	12	4.5 m	100%	PRINCE OF WALES
3. CROWN	13	4.5 m	100%	PRINCE OF WALES
4. CROWN	14	4.5 m	100%	PRINCE OF WALES
5. CROWN	15	4.5 m	100%	PRINCE OF WALES
6. CROWN	16	4.5 m	100%	PRINCE OF WALES
7. CROWN	17	4.5 m	100%	PRINCE OF WALES
8. CROWN	18	4.5 m	100%	PRINCE OF WALES
9. CROWN	19	4.5 m	100%	PRINCE OF WALES
10. CROWN	20	4.5 m	100%	PRINCE OF WALES
11. CROWN	21	4.5 m	100%	PRINCE OF WALES
12. CROWN	22	4.5 m	100%	PRINCE OF WALES
13. CROWN	23	4.5 m	100%	PRINCE OF WALES
14. CROWN	24	4.5 m	100%	PRINCE OF WALES
15. CROWN	25	4.5 m	100%	PRINCE OF WALES
16. CROWN	26	4.5 m	100%	PRINCE OF WALES
17. CROWN	27	4.5 m	100%	PRINCE OF WALES
18. CROWN	28	4.5 m	100%	PRINCE OF WALES
19. CROWN	29	4.5 m	100%	PRINCE OF WALES
20. CROWN	30	4.5 m	100%	PRINCE OF WALES

PROPOSED GAS BAR & PLAZA
C.D.N. PETROLEUM LTD.
UPPER JAMES ST. & STONECHURCH RD. HAMILTON

SCALE: 1:100
DATE: 8/11/93

1. SITE PLAN
2. DRAINAGE PLAN
3. LANDSCAPE PLAN

- NOTES:
- 1) All dimensions are in metres.
 - 2) Refer to approved Site Plan DA-91-59, as amended by Ontario Municipal Board order dated April 8, 1993.

This is Schedule "A" to By-Law No. 93 -
Passed the day of ,1993.

Clerk

Mayor

City of Hamilton

Schedule B

Map Forming Part of
By-Law No. 92 - 003

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-law No. 92 - 003, as
amended by By-law 93 -

North



Scale
NOT TO SCALE

Date
NOVEMBER 1993

Reference File No.
ZA - 91 - 14

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

**To Remove
Land within the Claudette Gardens, Phase 4 Subdivision, Plan 62M-746
from Part Lot Control**

WHEREAS subsection 5 of section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of section 50 of the Planning Act, states, in part, as follows:

- (7) Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or part of parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection (5) ceases to apply to such land, . . .;

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of section 50 of the Planning Act, shall not apply to the following lands:

Lot 1 and from Lots 3 to 14 inclusive, within Registered Plan Number 62M-746 in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.
2. (a) This by-law is subject to the approval of the Council of The Regional Municipality of Hamilton-Wentworth.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

PASSED this day of A.D. 1993.

CITY CLERK

MAYOR

This Bylaw is approved pursuant to section 50(7), the Planning Act and section 4, Bylaw R89-171 of The Regional Municipality of Hamilton-Wentworth, this day of 1993.

Commissioner of Planning and Development of
The Regional Municipality of Hamilton-Wentworth

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 79-326

Respecting:

**LAND LOCATED AT THE REAR OF
MUNICIPAL NO. 1462 UPPER SHERMAN AVENUE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 79-326 on the 26th day of November 1979 to change the zoning and establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "AA" District, in respect of the land located in the area South of Stone Church Road East and West of Upper Sherman Avenue, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 1st day of February 1980, (File No. R 80304);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 17th Report of the Planning and Development Committee at its meeting held on the 9th day of November 1993, recommended that Zoning By-law No. 6593, as amended by By-law No. 79-326 be further amended to establish a special requirement under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-27C and E-27D of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "R-4" (Small Lot Single-Family Detached) District provisions, as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 9A.2.(c)1 of By-law No. 6593, every lot for a single-family dwelling shall have an average lot width of not less than 9.50 metres and an average lot area of not less than 306.0 square metres.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1320.

5. Sheets No. E-27C and E-27D of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1320.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1993

CITY CLERK

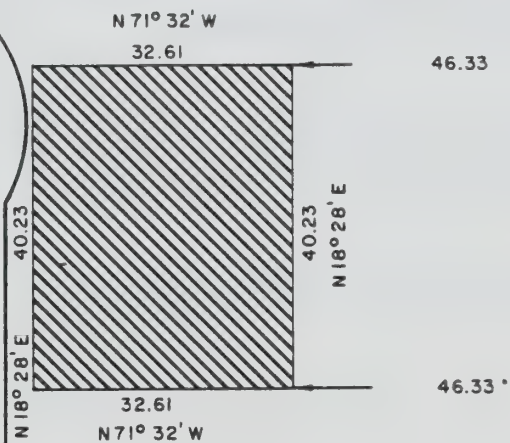
MAYOR

(1993) 17 R.P.D.C. 1, November 9
 Frank and Antonietta Mastroianni
 and Diodoro and Olimpia Cavoto, Owners
 Amended ZAC-93-21

STONE CHURCH ROAD EAST

N.E. CORNER OF
LOT 9 - CON. 8

CARTIER CRESCENT



UPPER SHERMAN AVENUE

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-.....
Passed the day of, 1993.

.....
Clerk

.....
Mayor

City of Hamilton Schedule A

Map Forming Part of
By-Law No. 93-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"AA" (Agricultural) District, modified to
"R-4" (Small Lot Single-Family Detached)
District, modified.

North



Scale
NOT TO SCALE

Date
NOVEMBER 1993

Reference File No.
ZAC-93-21

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 528 MOHAWK ROAD EAST
(SOUTH EAST CORNER OF
MOHAWK ROAD EAST AND UPPER SHERMAN AVENUE)**

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14.(1)(xviii) of By-law No. 6593, a mechanical car wash consisting of one bay, in a separate building, as an accessory use to a gas bar shall be permitted;
- (b) a planting strip not less than 6.0 m in width shall be provided and maintained along the southerly lot line and no parking or other use shall be permitted within the planting strip;
- (c) a planting strip not less than 3.0 m in width shall be provided and maintained along the northerly and westerly lot lines, except for any area used for vehicular access; and
- (d) a visual/acoustical barrier not less than 1.8 m in height and not more than 2.0 m in height shall be provided and maintained along the southerly and easterly lot lines, except that no visual/acoustical barrier shall be situate less than 3.0 m in distance from the westerly lot line (Upper Sherman Avenue) or the northerly lot line (Mohawk Road East).

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1318.

4. Sheet No. E-38 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1318.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of

A.D. 1993

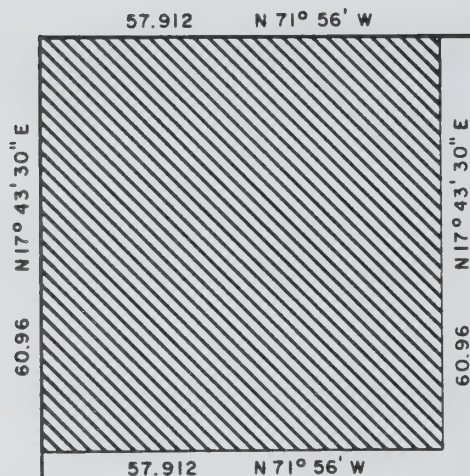
CITY CLERK

MAYOR

(1993) 16 R.P.D.C. 2, October 26
172965 Canada Limited (Imperial Oil)
c/o Vince Serratore, Owner
ZAC-93-27

MOHAWK ROAD EAST

UPPER SHERMAN AVENUE



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93 -.....
Passed the day of , 1993.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 93 -.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 93 -.....

North



Scale
NOT TO SCALE

Date
OCTOBER 1993

Reference File No.
ZAC-93-27

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Establish:

Site Plan Control

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 528 MOHAWK ROAD EAST
(SOUTH EAST CORNER OF
MOHAWK ROAD EAST AND UPPER SHERMAN AVENUE)**

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:
 151. Land located at Municipal No. 528 Mohawk Road East, shown on Appendix 151 hereto annexed and forming part of this by-law.
2. Appendix 151 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

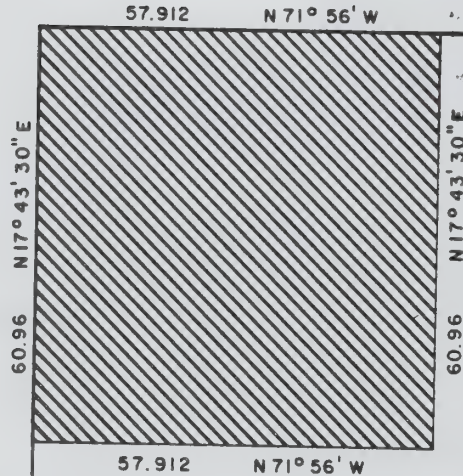
PASSED this day of A.D. 1993

CITY CLERK

MAYOR

MOHAWK ROAD EAST

UPPER SHERMAN AVENUE



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-
Passed the day of, 1993.

Clerk

Mayor

City of Hamilton

Appendix 151 to By-Law No.79-275

as Amended by
By-Law No.87-223

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands Designated Under this By-Law
as an area of Site Plan Control pursuant
to Section 41 of the Planning Act,
R.S.O., 1990.

North



Scale
NOT TO SCALE

Reference File No.
ZAC 93-27

Date
OCTOBER 1993

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED IN THE AREA EAST OF UPPER WENTWORTH STREET
AND NORTH OF VINEBERG DRIVE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-27E of the District Maps, appended to and forming part of By-law No. 6593, is amended,
 - (a) by changing from "RT-20" (Townhouse-Maisonette) District, modified to "AA" (Agricultural) District, the land comprised in Block 1; and,
 - (b) by changing from "AA" (Agricultural) District, modified to "RT-20" (Townhouse - Maisonette) District, the land comprised in Block 2.

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1993.

CITY CLERK

MAYOR

UPPER WENTWORTH STREET

48.80

N 71° 56' 40" W

4.433

BLOCK 1

N 8° 29' E
31.643

31.213
N 16° 32' E

N 8° 29' E
31.64

N 16° 32' E
31.21

BLOCK 2

46.053

N 71° 56' 40" W

4.433

30.464

VINBERG DRIVE

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-.....
Passed the day of , 1993.

.....
Clerk

.....
Mayor

City of Hamilton
Schedule A

Map Forming Part of
By-Law No. 93-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend
Changes in zoning from:

BLOCK 1



"RT-20" (Townhouse-Maisonette) District,
modified, to "AA" (Agricultural) District.

BLOCK 2



"AA" (Agricultural) District, modified, to
"RT-20" (Townhouse-Maisonette) District.

North



Scale
NOT TO SCALE

Date
NOVEMBER 1993

Reference File No.
ZA - 93 - 30

Drawn By
Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 1321, 1329, 1335, 1339
and 1343 UPPER WELLINGTON STREET**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings) District,

the land, the extent and boundaries of which is shown on a plan hereto annexed as Schedule "A".

2. The "DE-2" (Multiple Dwellings) District provisions, as contained in Section 10B of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10B(1) of By-law No. 6593, only a maximum of 26 townhouse units subject to the "RT-20" District provisions of Section 10E shall be permitted on the rear portion of the subject lands;
- (b) notwithstanding Section 10B(2)(ii) of By-law No. 6593, the multiple dwelling fronting Upper Wellington Street shall not exceed four (4) storeys or 13.5 m in height, and the second multiple dwelling shall not exceed six (6) storeys or 20.0 m in height;
- (c) a maximum of ninety-five (95) multiple dwelling units shall be permitted.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-2" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1319.

5. Sheet No. E-18B of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1319.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of

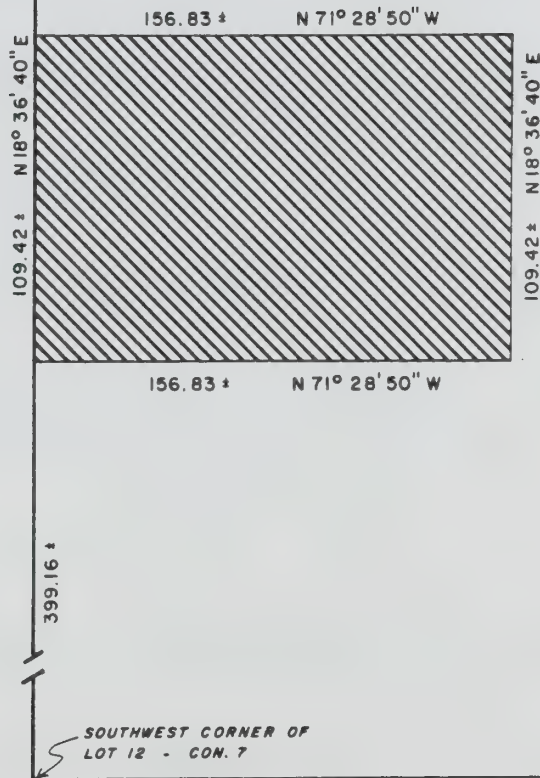
A.D. 1993

CITY CLERK

MAYOR

(1993) 17 R.P.D.C. 2, November 9
Bethel Gospel Tabernacle, Owners
Amended ZAC-93-25

UPPER WELLINGTON STREET



STONE CHURCH ROAD EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-.....
Passed the day of, 1993.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 93-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"AA" (Agricultural) District to
"DE-2" (Multiple Dwellings)
District, modified.

North



Scale
NOT TO SCALE

Date
NOVEMBER 1993

Reference File No.
ZAC-93-25

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

LOTTERY LICENSE BY-LAW

WHEREAS section 207 of The Criminal Code provides that a charitable or religious organization may conduct and manage a lottery scheme for charitable objects or purposes, subject to licensing and such terms and conditions as may be imposed;

AND WHEREAS the Lieutenant Governor of Ontario by Order-in-Council 2688/93, did empower a municipal council to issue lottery licences to charitable or religious organizations;

AND WHEREAS it is desirable to enact a lottery licence by-law consistent with the recent Order-in-Council, in replacement of By-law 92-006;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In the matter of licensing charitable gaming and in the application of this by-law, reference shall be had to the provisions of The Criminal Code, Order-in-Council, Provincial Terms and Conditions and Provincial Policies, as they may be amended or replaced from time to time, and in particular the following definitions are adopted for the purposes of this by-law:

- (a) "City" means The Corporation of the City of Hamilton;
- (b) "Council" means the council of the City;
- (c) "law" shall include The Criminal Code, Order-in-Council, Provincial Terms and Conditions, as applicable, and as they may be amended or replaced from time to time;
- (d) "Licence Administrator" means the Licence Administrator appointed by the City, or a person acting in his or her capacity;
- (e) "licence inspector" means an officer appointed for the purposes of inspection or enforcement of by-laws of the City;
- (f) "Order-in-Council" means Order-in-Council No. 2688/93, as may be amended or replaced from time to time;
- (g) "Provincial Policies" includes the Lottery Licence Policy Manual, issued by the Ministry of Consumer and Commercial Relations, and any other written policy for the issuance of charitable gaming licences supplied by or through the Ministry to municipalities for their use, as they may be amended or replaced from time to time;
- (h) "Provincial Terms and Conditions" means the documents issued by the Ministry of Consumer and Commercial Relations, being terms and conditions which apply to municipal and other lottery licences, as they may be amended or replaced from time to time, including any application and report forms referred to or being part of such documents, being entitled:

- (i) Regular and Special Bingo Terms and Conditions, Form No. 06033(11/93),
- (ii) Media Bingo Terms and Conditions, Form No. 06346(11/93),
- (iii) Raffle Terms and Conditions, Form No. 06007(11/93),
- (iv) Break Open Ticket Lottery Terms and Conditions, Form No. 06415(11/93), and
- (v) Bazaar Licences Terms and Conditions, Form No. 06345(11/93);

(i) The definitions for "Act" and "lottery scheme" found respectively in The Criminal Code, R.S.C. 1985, Chapter C-46, sections 1 and 207;

(j) The definitions of "charitable object or purpose", "Director" and "person" found in the Order-in-Council.

2.(1) The Licence Administrator is hereby appointed Chief Lottery Licence Officer.

(2) Every licence inspector is hereby appointed a lottery licence officer.

(3) The Chief Lottery Licence Officer shall receive licence applications and materials on behalf of the City, review applications and the conduct of lotteries, instruct lottery licence officers, and generally carry out any act or inquiry, and make any report necessary to administer the licensing of lottery schemes on behalf of the City, in accordance with the law, Provincial Policies and this by-law.

3. Licences may be approved, issued, suspended, cancelled or refused pursuant to the Order-in-Council, and applicable Provincial Terms and Conditions and Provincial Policies for the following types of lottery schemes:

- (a) Bingo,
- (b) Media Bingo,
- (c) Raffle,
- (d) Break Open Ticket Lottery, and
- (e) Lottery Schemes at a Bazaar.

4. No one shall conduct a lottery scheme in the City of Hamilton unless a licence has been issued for the lottery under the Order-in-Council and is in force on the occasion of the lottery scheme.

5. Where the Director notifies the City that a person is not eligible for a licence, no licence shall be issued to that person, and where the person already holds a licence under which a lottery scheme has not been the City shall notify the Director of the existing licence and the licence may be revoked.

6. (1) An application for a municipal licence shall be made to the Chief Lottery Licence Officer at least 45 days prior to the date on which the lottery scheme is to occur, or where there is more than one lottery scheme applied for in the application, at least 45 days prior to the date of the first lottery scheme applied for.

(2) A request for approval of a provincial licence shall be made to the Chief Lottery Licence Officer at least 90 days prior to the date of the lottery scheme applied for.

7.(1) A person applying for a licence shall pay a licence fee at the time the application is submitted, being three percent of the prizes, or in the case of a lottery scheme at a bazaar, three percent of the prizes and ten dollars a wheel for wheels of fortune.

(2) No licence shall be issued until the licence fee has been paid.

(3) Where no licence is issued, the licence fee shall be refunded.

8. The Licensing Committee of the City, may on behalf of Council, conduct any hearing and order a licence issued, or recommend that the Council suspend, revoke or refuse to issue a licence, and may give or deny approval on such other incidental matters as may be provided for in the Provincial Terms and Conditions in accordance with the law, Provincial Policies and this by-law.

9. The Chief Lottery Licence Officer shall issue such licences as Council may authorize, and no other provision of this by-law shall be deemed to oblige the Chief Lottery Licence Officer to issue a licence.

10. No one may transfer a licence issued under this by-law.

11. A licence certificate issued under this by-law is the property of the Council and the licensee shall return it to the Chief Lottery Licence Officer within 7 days after the date of the occasion or the date of the last occasion for which it was issued.

12. (1) Compliance with the provisions of the law and this by-law is a term and condition of,

(a) the issuance of a licence; and

(b) the remaining in force of a licence.

(2) The breach of a term and condition, or the failure to comply to a request or demand authorized under the law or this by-law, is cause for the suspension, revocation or refusal of a licence.

13. Every raffle lottery licensee shall number all raffle lottery tickets consecutively and in sequence.

14. Every licensee shall comply with the following terms and conditions:

1. Comply with all provisions of the law and this by-law.

2. Provide the full name, address of residence, and home telephone number of every member designated to be in charge of the lottery on behalf of the licensee, and immediately advise the Chief Lottery Licence Officer, in writing, of any change.

3. For financial reporting purposes designate a financial year end, and failing which, the licensee shall be deemed to have a financial year end of December 31.

4. Where the Provincial Terms and Conditions permit a licensee to create rules and use them for the lottery, a copy of the proposed rules shall be submitted for approval to the Chief Lottery Licence Officer prior to their use, and Chief Lottery Licence Officer shall approve them for use by the licensee if they are not contrary to the law or Provincial Policies.

5. Produce the lottery licence immediately upon demand by a lottery licence officer or a peace officer.

6. Keep and maintain a record for each lottery event, of all persons, both members and non-members assisting in the conduct and management of the lottery, and the amount of compensation paid.

7. Where the Provincial Terms and Conditions permit a licensee to pay for an expense or other charge by cash with a receipt in place of a cheque, the licensee shall ensure a written receipt is retained, which contains the name, address and signature of the person to whom the cash is paid.

8. Notify the Chief Lottery Licence Officer in writing, of the failure or refusal to award the prizes specified in the licence on the date specified, along with the reasons for such failure or refusal and the names and addresses of any winners left unpaid, within seven days of such date, and make available any books and records of the lottery scheme for review upon demand.

9. Deliver the licence certificate to the Chief Lottery Licence Officer upon the revocation or suspension of the licence.

15. A lottery licence officer or a peace officer shall, at all reasonable times, be given direct and unencumbered access by the licensee, to enquire into the nature, management and conduct of a lottery scheme, and to all books and records of the licensee relating to the lottery, before or after the issue of a licence and the holding of the lottery, to ensure there is compliance with the law and that an application for a licence can be properly considered.

16.(1) It is a term of the licence, where a peace officer has reasonable and probable grounds to believe there exists a breach of the law in relation to the lottery scheme or that the holding of the lottery scheme will result in a breach of the law, that the peace officer may order the licensee or its officers, agents or servants to cease and desist from further conducting the lottery scheme upon threat of prosecution for failure to comply.

(2) Where an order has been made under subsection (1), the peace officer shall, in addition to any other action, provide a report of the incident to the Chief Lottery Licence Officer.

17. No licensee shall prevent, hinder, molest or interfere, or permit a servant, agent or employee of the licensee to prevent, hinder, molest or interfere, with a lottery licence officer or peace officer in doing anything the lottery license officer or peace officer is authorized to do by or under this by-law.

18. In the event of a conflict between the provisions of this by-law and any Federal or Provincial Act, or an Order-in-Council of the Province passed under the authority of section 207 of The Criminal Code, or the Provincial Terms and Conditions or Provincial Policies, the provisions of such Act, Orders-in-Council, term, condition or policy prevail to the extent of such conflict.

19. Should a court of competent jurisdiction declare a part or the whole of any provision of this by-law to be invalid or of no force and effect, the provision or part is deemed severable from this by-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under the law.

20. By-law No. 92-006 and amendments thereto are repealed.

21. This by-law may be referred to as the "Lottery Licence By-law".

PASSED this

day of

1993.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend By-law 93-069 Respecting Vehicles for Hire

WHEREAS By-law 93-069 provides for the licensing of trades and businesses, including for drivers and owners of various vehicles for hire;

AND WHEREAS it is desirable to provide for exemptions from licensing for vehicles transporting preschool children;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 4 as amended, of Licensing By-law 93-069 is further amended by adding immediately after section 2e, a section 2f as follows:

2f. (1) A motor vehicle providing transportation under contract exclusively for preschool children, and operating in a manner distinct from taxi, is exempt from the requirement for an owners or drivers licence under Schedules 4 and 4a of this by-law.

(2) For the purposes of (1), the following shall apply:

(a) "Contract" means a written agreement to provide regular transportation services, for the taking of passengers to and from a specific location or to accommodate a need in common to the passengers in addition to transportation, with a term of at least one month, with fees for service fixed in the agreement and not by the metering of time or mileage of actual trips, and includes an agreement with a facility as opposed to the passengers;

(b) "Preschool children" means children under six years of age;

(c) "Taxi" means a vehicle with the following characteristics: providing transportation on demand, where the location of boarding of the passenger and the destination is unknown in advance of the request of the passenger, where the passenger chooses the destination, where there are no set routes, schedules or stops for boarding, and where any repeat or regular trips by a passenger or passengers are made based on the passengers need or needs for transportation without a relation to the special features of the vehicle; and

(d) "Manner distinct from taxi" means lacking one or more of the characteristics of a taxi.

2. In all other respects, By-law 93-069 as amended, is confirmed without change.

PASSED this

day of

1993.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend Market By-law No. 92-310

Respecting:

**HAMILTON FARMERS' MARKET STAND CONTRACT
AND MARKET FEES**

WHEREAS subsection 72 of section 210 of the Municipal Act, R.S.O. 1990, Chapter M.45 authorizes a municipality to enact by-laws for establishing, maintaining and regulating markets;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 92-310 on the 8th day of December 1992 to regulate the Hamilton Farmers' Market;

AND WHEREAS it is expedient to make a housekeeping change with respect to the definition of "market day", as hereinafter provided;

AND WHEREAS the Market Stand Contract referred to in Section 6.(3) of By-law No. 92-310 is appended thereto as FORM 1;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 7 of the 21st Report of the Finance and Administration Committee at its meeting held on the 9th day of November 1993 recommended that the Hamilton Farmers' Market Stand Contract for 1994 be revised, as hereinafter provided;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 6 of the 21st Report of the Finance and Administration Committee at its meeting held on the 9th day of November 1993 recommended that the stallholder fees for the Hamilton Farmers' Market for 1994 be increased by 4.5%, as hereinafter provided.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1.(g) of By-law No. 92-310 is amended by adding thereto the word "Friday" after the word "Thursday" in the first line.
2. FORM 1 appended to By-law No. 92-310, as amended, is hereby repealed and the Hamilton Farmers' Market Contract annexed hereto as Schedule "A" and forming part of this by-law is substituted therefor.
3. Schedule "B" to By-law No. 92-310, as amended, respecting the stallholder fees for the Hamilton Farmers' Market is hereby repealed and Schedule "B" attached hereto and forming part of this by-law is substituted therefor.

4. In all other respects, By-law No. 92-310, as amended, is hereby confirmed, unchanged.

5. This by-law comes into force and effect on the 1st day of January 1994.

PASSED this day of

A.D. 1993

CITY CLERK

MAYOR

(1993) 21 R.F.A.C. 6,7, November 9

SCHEDULE "A"

To By-law No. 93-

FORM 1
[Section 6(3)]

HAMILTON FARMERS' MARKET CONTRACT

Commencing:

Ending:

I, (We) the undersigned

(Print Name(s))

hereby undertake and agree without reservation of any kind with The Corporation of the City of Hamilton for the privilege of occupying and using a stand(s) at the Hamilton Farmers' Market, as follows:

1. To pay a fee for the use of the following stand(s) on Tuesday, Thursday, Friday and Saturday market days for a twelve-month term from January 1st to December 31st unless terminated prior to December 31st as set out below, for

(a) Stand No.	Fee:
(b) Stand No.	Fee:
(c) Stand No.	Fee:

2. To pay the fee referred to above monthly in advance by depositing with the Market Manager twelve postdated monthly cheques at the time of executing this contract, on the understanding that this contract shall terminate if the fees are in arrears in excess of one month.

3. That on a twice yearly basis I will be rebated the daily fee, without interest, for each Friday market day where I have notified the Market Office by 9:00 a.m. that I would not utilize my stall(s).

4. If I (we) have not occupied my (our) stand(s) by 9:00 o'clock a.m. on any market day, my (our) right to occupy and use my (our) stand(s) is forfeited for that day only.

5. This contract entitles me (us) only to the use of the stand(s) referred to in this contract.
6. To give the Market Manager thirty (30) days written notice in the event that I (we) propose to terminate my (our) use of my (our) assigned stand or stands.
7. (1) The refrigeration units whose location and size are described in Schedule "A" to this contract form part of the assigned stand(s).

(2) I (We) will pay and be responsible for all repairs and maintenance costs of the refrigeration units and that Fox Refrigeration Inc. will make all such repairs and provide all such maintenance as are necessary in the opinion of the Market Manager to keep and maintain the refrigeration units in good working order.
8. That The Corporation of the City of Hamilton shall have the right at any time and from time to time to assign to me (us) a stand(s) in place of the stand(s) referred to above and to increase or decrease the term fee(s) in accordance with the fee(s) for the substitute stand(s) and upon assignment to vacate the stand(s) occupied by me (us) at such time as may be specified to me (us) by the Market Manager.
9. That any stand(s) assigned to me (us) is (are) owned and in possession of the City of Hamilton at all times and I (we) have been given the privilege only of occupying or using the stand(s).
10. I (We) will observe and comply with all public health laws and food laws of Ontario and Canada and with all by-laws, regulations, notices, orders and demands of the City.
11. That I (we) will remove and restore all changes to the stand(s) to its (their) original condition at the time the stand(s) was (were) assigned to me (us) at my (our) sole cost and expense and at no cost or expense to the City.
12. I (We) shall and do hereby indemnify and save harmless The Corporation of the City of Hamilton from and against all actions, causes of action, interest, claims, demands, costs, damages, expenses or loss which the City may bear, suffer or be put to by reason of any damage to property or injury or death to persons as a result of the privilege herein allowed to me (us).

13. That notwithstanding any other provision, this contract will not come into effect and no stand(s) shall be assigned to me (us) unless and until I (we) file proof of public liability insurance in an amount not less than Three Million Dollars (\$3,000,000.00) satisfactory to the Market Manager.

14. This contract will not come into effect and no stand shall be assigned to me (us) unless and until I (we) provide the Market Manager with a Certificate of Compliance from the Workers' Compensation Board.

DATED at Hamilton, Ontario this day of 19

.....
Market Manager

**.....
Signature in Full of Stallholder

**.....
Address of Stallholder (Please Print)
(Street, City, Province, Postal Code)

**.....
Telephone Number

** Each person whose name appears at the beginning of this contract, must sign and provide their address and telephone number.

**
Signature in Full of Stallholder

**
Address of Stallholder (Please Print)
(Street, City, Province, Postal Code)

**
Telephone Number

**
Signature in Full of Stallholder

**
Address of Stallholder (Please Print)
(Street, City, Province, Postal Code)

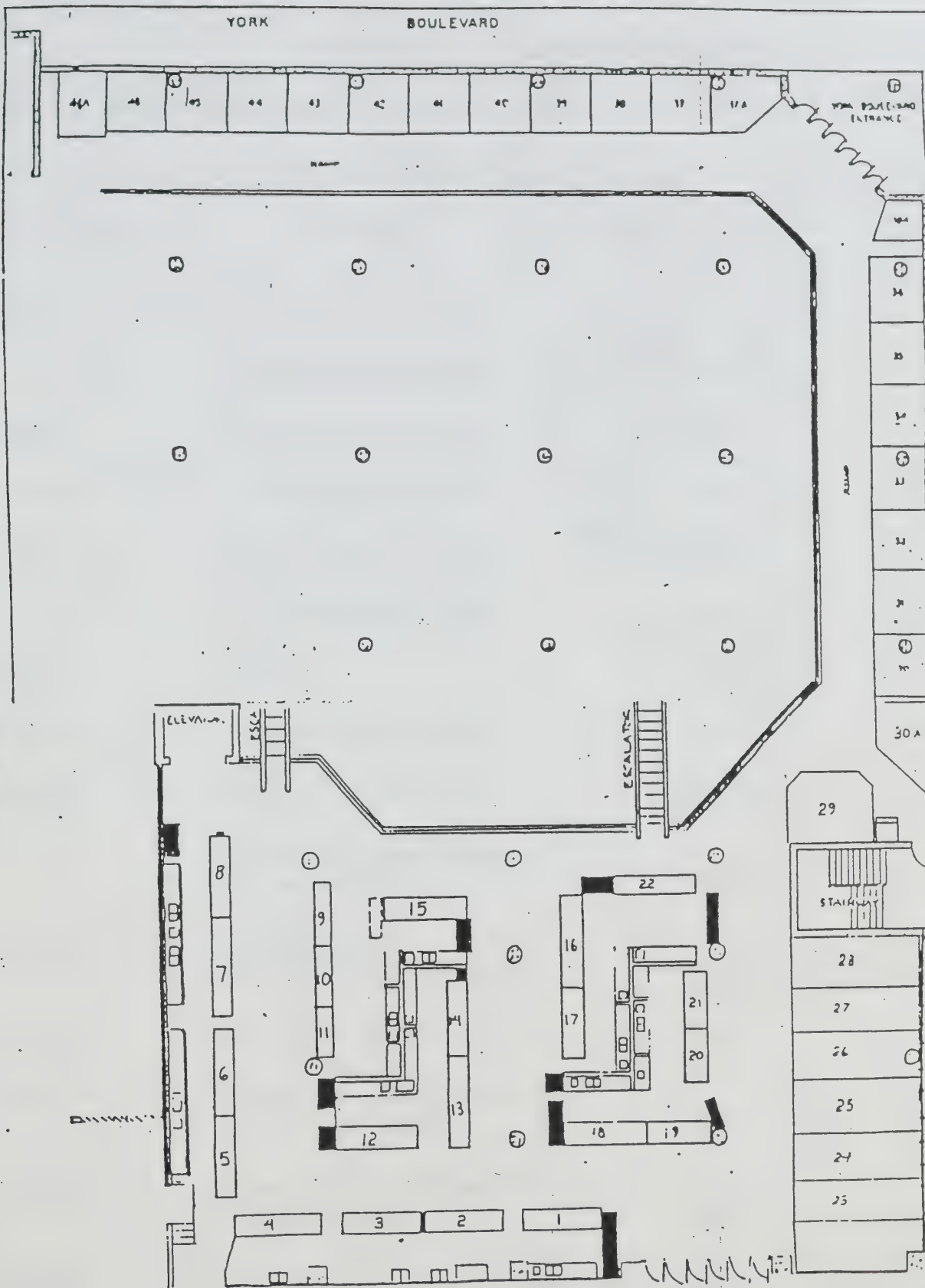
**
Telephone Number

**
Signature in Full of Stallholder

**
Address of Stallholder (Please Print)
(Street, City, Province, Postal Code)

**
Telephone Number

** Each person whose name appears at the beginning of this contract, must sign and provide their address and telephone number.

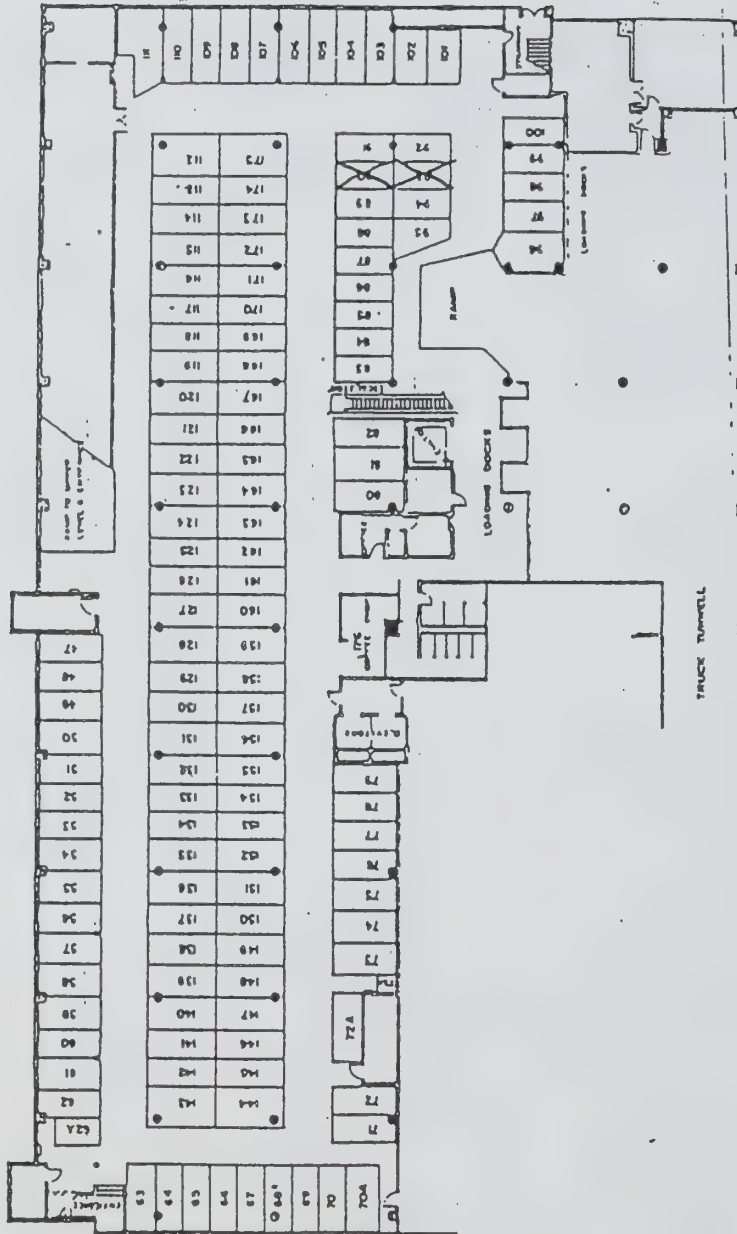


■ - ADDITIONAL INSTALLATIONS

--- - PROPOSED INSTALLATIONS

MARKET MEZZANINE AND RAMP

SCHEDULE "A"



**HAMILTON FARMERS MARKET
1994 FEE SCHEDULE**

Page 1 of 2

SCHEDULE "B" TO BY-LAW NO. 92-310

SCHEDULE "B"

PART 1: PRODUCERS' AND DEALERS' FEES

To By-law No. 93-

Stand Number	Location	Amount of Producers' and Dealers' Fees	
		Monthly Fee 4 days per week	Daily Fees
1 - 8	(12' Refrigeration Units)	\$384.	N/A
9,10,11	(8' Refrigeration Units)	\$321.	N/A
12 to 18	(12' Refrigeration Units)	\$384.	N/A
19,20,21	(8' Refrigeration Units)	\$321.	N/A
22	(12' Refrigeration Units)	\$384.	N/A
23-46	RAMP	\$223.	\$26.
47 to 62A	North Wall - Main Floor	\$223.	\$26.
63 to 70	West Wall - Main Floor	\$223.	\$26.
71 - 95	South Wall - Main Floor and under Ramp	\$223.	\$26.
96-100	Loading Docks (from 7:30 am to 4:00 pm)	\$223.	\$26.
101 to 111	East Wall - Main Floor	\$223.	\$26.
112 to 143	Stands in Middle from East to West (North Side)	\$223.	\$26.
144 to 175	Stands in Middle from West to East (South Side)	\$223.	\$26.
30a, 36a 37a, 46a	Irregular (ramp)	\$124.	\$12.
70a, 72a	Irregular (main floor west)	\$ 94.	\$12.
92	Irregular (main floor by escalator)	\$314.	\$26.
176	Coffee Shop	\$446.	N/A

PART 2: DEALERS' FEES PAYABLE IN ADDITION TO FEES PAYABLE UNDER PART 1

<u>Stand No.'s</u>	<u>Dealers' Fees</u> <u>Per Annum</u>
1 to 176	\$91.00

PART 3: PRODUCERS' AND DEALERS' FEES FOR ADJACENT STANDS

Fee for one stand when available, immediately adjacent to a stand for which an annual fee is paid in advance.....\$7.00 per day

URBAN/MUNICIPAL

CA4 ONHBC AOS

A31

1993



1993 November 26

NOTICE OF MEETING

COMMITTEE OF THE WHOLE

Tuesday, 1993 November 30

6:45 o'clock p.m.

Room 233, City Hall

URBAN M.

NOV

1993

GOVERNMENT DOCUMENTS

J. J. Schatz
City Clerk

AGENDA

1. 1994 Consolidated User Fees
2. Interest earned on Work-in-Progress Account - Treasurer
3. Update on the 1994-2003 Capital Budget (no copy)
4. Adjournment

c.c.: J. Pavelka, CAO
Management Team

CITY OF HAMILTON
- RECOMMENDATION -

DATE: November 26, 1993

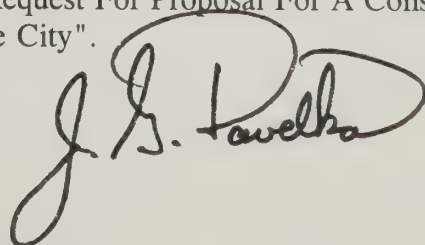
REPORT TO: J. J. Schatz, City Clerk
Committee of the Whole

FROM: J.G. Pavelka, Chairman of Management Team
and Management Team

SUBJECT: 1994 CONSOLIDATED USER FEES

RECOMMENDATION:

- 1.) That the following criteria for user fees be adopted;
 - a) User fees must be in agreement with the stated objectives of the City of Hamilton Strategic Plan as approved by City Council.
 - b) User fees should apply only to services accessed by an identifiable segment of the community and not be excessive so as to prevent reasonable access to the services.
 - c) User fees should fairly reflect the cost of providing the service and identify levels of subsidy by tax levy.
 - d) User fees are appropriate for services which expedite pending action and for services provided by the City as a result of downloading or a requirement of another level of government.
 - e) User fees are appropriate in order to regulate or control an activity.
 - f) User fees shall be reviewed on an annual basis.
- 2.) That the 1994 Consolidated User Fees for the City of Hamilton Departments as outlined on the attached Schedule No. 1 be approved;
- 3.) That the City Solicitor be authorized to prepare the necessary amending By-Laws to reflect the changes;
- 4.) That the C.A.O. be authorized to prepare a "Request For Proposal For A Consultant To Review User Fee Policies and Practices of the City".



1993 November 26
J. J. Schatz, City Clerk
Committee of the Whole

Page 2 - continued ...

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Schedule 1, if approved, would result in an increase in revenues due to existing fees as adjusted for inflationary and other increases in the amount of \$311,240 and further revenue increases as a result of the new user fees in the amount of \$126,670. The resulting increase in revenue would affect the 1994 budget by a reduction of the mill rate by 0.4 %.

BACKGROUND:

Both the existing fees and the proposed new fees were developed as a result of the specific departments reviewing their respective fees. The Schedule of Consolidated User Fees was presented to the Committee of the Whole on October 26, 1993 as part of the planned process for the 1994 Current Budget deliberations, but was tabled and requested that the fees be presented to the respective Standing Committees for approval before coming back to the Committee of the Whole in November.

The Schedule of Fees was approved as submitted to the October 26 Committee of the Whole, with the following exceptions:

Traffic Department:

- i) Increase the charge for on-street parking permits from \$1.00 a month for parking permit areas and \$2.00 a month for time limit exemption areas, to \$3.00 a month in each case (\$36.00 per year) - DEFEATED
- ii) Implement a new residential boulevard parking fee of \$3.00 per month for areas where the boulevard of the road allowance is being used for residential parking - DEFEATED

Schedule 1 lists by department the proposed fee increases for 1994 along with comparable rates for 1993, and is further broken down into 1994 Fees For Approval, 1994 New Fees For Approval, and in some instances, 1994 Fees Not Requiring Council Approval.

There are also fees included in this Schedule that are being forwarded to City Council on November 30, 1993 (22nd Report of the Finance & Administration Committee, Item 1), relating to increases in license fees for break open tickets and lottery fees for Bazaars. These rate changes reflect the recent provincial changes to the City's powers and amount to an additional \$131,000 in revenue. Additionally, Hamilton Farmer's Market fees were recently approved by City Council on November 9, 1993 amounting to an additional \$17,290, and a Late Filing Fee for the Priority List - Taxicabs was approved by City Council on October 26, 1993 amounting to an additional \$1,000. These additional amounts are not included in the amounts above under Financial Implications, and are before Committee of the Whole for information.

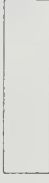
In some cases other revenue issues will be addressed throughout the 1994 budget process as a result of restructuring plans being developed by departments.

1994 CONSOLIDATED USER FEES

Index

Building Department.....	1 - 2
Cemeteries Division (Public Works).....	3 - 5
Clerks Department.....	6 - 12
Fire Department.....	13
Local Roads.....	14
Parks Division (Public Works).....	15
Planning Department.....	16 - 17
Property Department.....	18 - 19
Recreation Department.....	20 - 35
Streets and Sanitation Division (Public Works).....	36
Traffic Department.....	37 - 39
Treasury Department.....	40

"NEW" represents NEW fees for 1994



Represents fees DEFEATED at Committee level

SCHEDULE 1 - BUILDING

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
BUILDING DEPARTMENT					
1994 FEES FOR APPROVAL :					
1. ADMINISTRATION					
Administration Fees					
- Basic Demolition Fee	220.00	220.00	0%	No fee increases.	
- Demolition Fee (non-serviced accessory)	100.00	100.00	0%	" "	
Photocopies					
- First page	1.00	1.00	0%	" "	
- Each additional page	0.25	0.25	0%	" "	
2. ENGINEERING, ZONING, COUNTER SERVICES					
Combined Certification of Zoning Verification /					
Property Report	80.00	80.00	0%	" "	
- 48 hour service	120.00	120.00	0%	" "	
Property Plan (microfiche)					
- making copies of drawings on file					
- for Single Family	10.00	10.00	0%	" "	
- for others	40.00	40.00	0%	" "	
Monthly Report					
- per month	3.50	3.50	0%	" "	
- annually	35.00	35.00	0%	" "	
Certificate of Compliance					
- Single family dwelling	220.00	220.00	0%	" "	
- 2, 3 or multiple dwelling	220.00	220.00	0%	" "	
(plus \$30 for each add'l. dwelling)					
- Lodging house, 2nd level lodging house or nursing home (plus \$20 per each permitted resident)	220.00	220.00	0%	" "	
- All other buildings	220.00	220.00	0%	" "	
(plus \$10 per 1,000 sq. ft.in excess of the first 1,000 sq. ft.)					
Lot Grading - ensures compliance that grading is per regulation					
- administration fee per lot	125.00	125.00	0%	" "	

SCHEDULE 1 - BUILDING

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE 1993 (2)		1994 (3)		% INCREASE OVER 1993 (4)	EXPLANATION AND/OR COMMENTS (5)	Increase Due to Fee Inc. (6)

BUILDING DEPARTMENT

2. ENGINEERING, ZONING, COUNTER SERVICES

Building Code Act Fines							
- maximum fine per individual	50,000.00		50,000.00		0%	No fee increases.	
- maximum fine per corporation	100,000.00		100,000.00		0%	" "	

Basic Permit Fee:

Construction up to \$10,000

150.00 150.00

0%

Additional Permit Fee:

\$10,000 - \$20 million

9.00 /\$1,000

9.00 /\$1,000

0%

\$20 million - \$50 million

9.00 /\$1,000

9.00 /\$1,000

0%

Over \$50 million

9.00 /\$1,000

9.00 /\$1,000

0%

Building Permit fee for construction started prior to the issuance of a building permit:

Increase in permit fee Increase in permit fee

- work completed prior to permit issuance

(a) footings and foundations

10%

10%

(b) structural framing

25%

25%

(c) mechanical/electrical

50%

50%

(d) architectural

75%

75%

(e) final

100%

100%

(f) demolition or partial demolition

100%

100%

1994 FEES APPROVED BY COUNCIL:

3. ENGINEERING, ZONING, COUNTER SERVICES

Committee of Adjustment Fee

- variances or permission - ancillary to 1 and 2

family unit uses

250.00

250.00

0%

Effective April 1, 1992 (Council 3/10/92).

- variances or permission (all other)

350.00

400.00

14%

Stepped schedule of fees. 1/1/93 - \$350.00

1/1/94 - \$400.00 (Council 3/10/92)

SCHEDULE 1 - CEMETERIES

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)

PUBLIC WORKS - CEMETERIES DIVISION

1994 FEES FOR APPROVAL :

1. BURIALS AND REMOVALS

	Resident & Realty Taxpayers	Non-Residents	Resident & Realty Taxpayers	Non-Residents	
Opening and Closing					
- 6 ft. Adult	453.00	524.00	462.00	562.00	2%
- 8 ft. Adult	610.00	678.00	622.00	720.00	2%
- 6 ft. Child	274.00	402.00	75.00	90.00 NEW	NEW
- case up to 24"					
- case 25" to 42"	274.00	402.00	150.00	180.00	-45%
- case 43" to 60"	311.00	441.00	220.00	264.00	-29%
- case 61" to 72"	345.00	498.00	285.00	342.00	-17%
- 8 ft. Child	345.00	498.00	255.00	306.00	-26%
- case up to 60"	383.00	551.00	305.00	366.00	-20%
- case 61" to 72"	147.00	210.00	150.00	180.00	2%
- Cremation	-	-	55.00	66.00 NEW	NEW
- Cremorial	96.00	115.00	98.00	118.00	2%
- Columbarium	373.00	438.00	380.00	456.00	2%
- Mansion of Memories (Stoney Creek)					

\$25,000

Lowering (Includes Opening, Removal, Lowering, Closing)

- Adult - 6 ft. to 8 ft. - shell	1,749.00		1,764.00		2%
- Adult - 6 ft. to 8 ft. - concrete vault/crypt	1,456.00		1,485.00		2%
- Child - 6 ft. to 8 ft. - 5 to 10 years	621.00		633.00		2%
- Child - 6 ft. to 8 ft. - under 5 years	521.00		531.00		2%

Removals

- Adult - Shell	1,592.00		1,624.00		2%
- Adult - Concrete vault or crypt	1,299.00		1,325.00		2%
- Child - Shell	550.00		561.00		2%
- Child - Concrete vault or crypt	450.00		459.00		2%
- Cremation	147.00		150.00		2%

2. FOUNDATIONS AND MARKERS

- Foundation - pouring per square inch of surface area (6 feet deep)	0.94	1.41	0.94	1.41	0%
--	------	------	------	------	----

SCHEDULE 1 - CEMETERIES

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE		% INCREASE OVER 1993 (4)	EXPLANATION AND/OR COMMENTS (5)	Increase Due to Fee Inc. (6)
	1993 (2)	1994 (3)			

PUBLIC WORKS - CEMETERIES DIVISION

Ministry of Consumer & Commercial Relations
Cemetery Act regulates these charges.

2. FOUNDATIONS AND MARKERS

Resident & Realty Taxpayers	Non-Residents	Resident & Realty Taxpayers	Non-Residents
114.00	177.00	75.00	90.00
114.00	177.00	114.00	177.00
114.00	177.00	114.00	177.00
96.00	96.00	96.00	96.00
96.00	96.00	96.00	96.00

3. SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE

446.00	551.00	455.00	562.00	2%
746.00	922.00	761.00	940.00	2%
-	-	50.00	60.00	NEW
107.00	189.00	109.00	142.00	2%
158.00	207.00	161.00	193.00	2%
248.00	302.00	253.00	308.00	2%
424.00	432.00	432.00	432.00	2%
1,711.00	2,133.00	1,745.00	2,176.00	2%
1,396.00	1,744.00	1,424.00	1,779.00	2%
2,555.00	3,196.00	2,606.00	3,260.00	2%
6,187.00	7,729.00	6,311.00	7,884.00	2%
3,349.00	4,259.00	3,416.00	4,344.00	2%
3,147.00	3,994.00	3,210.00	4,074.00	2%
1,192.00	1,310.00	1,216.00	1,336.00	2%
-	-	800.00	960.00	NEW
919.00	1,103.00	950.00	1,140.00	3%

4. ADDITIONAL SERVICES

272.00	272.00	0%	Contractual 1993, 1994
285.00	285.00	0%	
297.00	297.00	0%	
305.00	305.00	0%	
324.00	324.00	0%	

SCHEDULE 1 - CEMETERIES

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE		% INCREASE OVER 1993 (4)	EXPLANATION AND/OR COMMENTS (5)	Increase Due to Fee Inc. (6)
	1993 (2)	1994 (3)			

PUBLIC WORKS - CEMETERIES DIVISION

4. ADDITIONAL SERVICES

- Misc. - Tent in Cemetery	135.00	138.00	2%		
- Rental of tent outside cemetery	184.00	188.00	2%		
- Transfer fee \$40 + G.S.T.	40.00	40.00	0%		
- Bronze Memorial Plaque for Columbarium Niche	275.00	281.00	2%		
- Companion Vase on Columbarium Niche	54.00	55.00	2%		
- Bronze Memorial Plaque for Cremorial	0.00	125.00	NEW		
- Supply, install and maintain flower bed to maximum three graves - per grave	N/A	100.00	NEW		
- Memorial Tree Planting, 12X10 stone, 6X8 Bronze Plaque 3 Lines	0.00	350.00	NEW		
- Memorial Bench - 8X5 Bronze plaque - 3 lines	0.00	500.00	NEW		
- Flower Pot Hanger	0.00	15.00	NEW		
- Family Tree Research - \$2.00 per name					

Note : 40 % of all lot and grave sales goes into Care & Maintenance Fund

5. CARE AND MAINTENANCE FUND

- markers and upright monuments:					
- any flat marker under 173 sq. in.	N/C	N/C		Provincial Regulation - these funds trusted.	
- any flat marker over 173 sq. in.	50.00	50.00	0%	"	
- any upright monument <= 4 ft. in length/height	100.00	100.00	0%	"	
- any upright monument over > 4 ft. in length/height	200.00	200.00	0%	"	

\$25,000

SCHEDULE 1 - CLERKS

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
CLERKS DEPARTMENT					
1994 LICENCE FEES FOR APPROVAL :					
1. LICENCE SECTION					
Adult Entertainment Parlour					
- Owner	4,000.00	4,000.00	0%	No fee increases for Licence section.	
- Operator	1,340.00	1,340.00	0%	" "	
- Attendant - Dancer	200.00	200.00	0%	" "	
Amusement - Places of					
- Amusement Machines	50.00	50.00	0%	" "	
- Maximum	2,670.00	2,670.00	0%	" "	
- Amusement Rides - per day	50.00	50.00	0%	" "	
- Carnival - per duration of event (\$90/day for charities)	500.00	500.00	0%	Provincial limit.	
- Circus - per day (outside) Maximum \$500	100.00	100.00	0%	Provincial limit.	
- per day (within a building)	20.00	20.00	0%	" "	
- Arena	270.00	270.00	0%	No fee increases for Licence section.	
- Billiards	70.00	70.00	0%	" "	
- each add'l. table	20.00	20.00	0%	" "	
- Bingo Parlour	70.00	70.00	0%	" "	
- under 300 persons				" "	
- 300 - 599 persons	140.00	140.00	0%	" "	
- 600 - 999 persons	200.00	200.00	0%	" "	
- 1000 or more persons	270.00	270.00	0%	" "	
- Bowling Alley					
- 1 st 2 beds	60.00	60.00	0%	" "	
- each add'l. bed	10.00	10.00	0%	" "	
- Public Hall					
- under 300 persons	70.00	70.00	0%	No fee increases for Licence section.	
- 300 - 599 persons	140.00	140.00	0%	" "	
- 600 - 999 persons	200.00	200.00	0%	" "	
- 1000 or more persons	270.00	270.00	0%	" "	

SCHEDULE 1 - CLERKS

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	1993	1994	% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
(1)	(2)	(3)	(4)	(5)	(6)
CLERKS DEPARTMENT					
1. <u>LICENCE SECTION</u>					
- Roller Skating Rink	270.00	270.00	0%	No fee increases for Licence section.	
- Theatre	270.00	270.00	0%	" "	
Animal Tags	17.00	17.00	0%	Provincial limit.	
- Spayed/neutered	4.25	4.25	0%	" "	
- Seniors/disabled rate	35.00	35.00	0%	" "	
- not spayed/neutered	8.75	8.75	0%	" "	
- Seniors/disabled rate	10.00	10.00	0%	Provincial limit.	
Bakeshop	10.00	10.00	0%	Provincial limit.	
Bazaar	10.00	3% of Prize	N/A	Recommendation before Finance & Administration Committee	
- Per Game or Wheel - Monte Carlo	3.00	10.00	N/A	Recent provincial changes to the City's powers.	\$131,000
Bill Distributor	50.00	50.00	0%	No fee increases for Licence section.	
Bill Poster	670.00	670.00	0%	" "	
Body Rub Parlour	6,670.00	6,670.00	0%	" "	
- Owner	270.00	270.00	0%	" "	
- Operator	270.00	270.00	0%	" "	
- Attendant	12.00 /box	3% of Prize	N/A	Recommendation before Finance & Administration Committee	
Break Open Tickets	130.00	130.00	0%	Recent provincial changes to the City's powers.	
Building Exterior Cleaners - Sandblasters	50.00	50.00	0%	No fee increases for Licence section.	
Butcher	400.00	400.00	0%	" "	
Cab Broker	270.00	270.00	0%	No fee increases for Licence section.	
- 1st issue of licence	50.00	50.00	0%	" "	
- each yearly renewal	10.00	10.00	0%	" "	
Cab Driver	10.00	10.00	0%	" "	
- photo every 3 years	3,480.00	3,480.00	0%	" "	
- replacement photo	210.00	210.00	0%	" "	
Cab Owner (private)	670.00	670.00	0%	" "	
- new plate					
- each yearly renewal					
- transfer of plate					

SCHEDULE 1 - CLERKS

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE		% INCREASE OVER 1993 (4)	EXPLANATION AND/OR COMMENTS (5)	Increase Due to Fee Inc. (6)
	1993 (2)	1994 (3)			
CLERKS DEPARTMENT					
1. LICENCE SECTION					
Cab Owner (public)					
- new plate	610.00	610.00	0%	No fee increases for Licence section.	
- each yearly renewal	340.00	340.00	0%	"	
- transfer of plate	670.00	670.00	0%	"	
Leasing Agreement	60.00	60.00	0%	"	
- one car					
- second car	210.00	210.00	0%	"	
Priority List-Initial application & renewal entitlement - each	60.00	60.00	0%	"	
- Late Filing Fee - Priority List - Taxicabs	-	40.00	100%	Fee approved by Council 10/26/93.	\$1,000
Cartage Vehicle	290.00	290.00	0%	"	
- Dump - 1st issue of licence					
- Others - 1st issue of licence	70.00	70.00	0%	"	
- add'l. vehicles	70.00	70.00	0%	"	
- each yearly renewal	70.00	70.00	0%	"	
Eating Establishments					
- Lunch Counter	20.00	20.00	0%	Provincial limit.	
- Refreshment Stand	20.00	20.00	0%	"	
- Restaurant	20.00	20.00	0%	"	
- Drive-in Restaurant	20.00	20.00	0%	"	
Flea Market-Owner	420.00	420.00	0%	No fee increases for Licence section.	
- 1 - 20 stands					
Foodshop	10.00	10.00	0%	Provincial limit.	
Fresh Fish	50.00	50.00	0%	No fee increases for Licence section.	
Garage - A (Buying, Selling, Storing)	80.00	80.00	0%	"	
- B1 (Combined Engine & Bodywork)	50.00	50.00	0%	"	
- B2 (Engine Work)	50.00	50.00	0%	"	
- B2 (Bodywork)	50.00	50.00	0%	"	
- C	10.00	10.00	0%	Provincial limit.	
- D (Parking Lot)	50.00	50.00	0%	No fee increases for Licence section.	
- E (Car Wash)	10.00	10.00	0%	Provincial limit.	
Livery Vehicle	210.00	210.00	0%	"	
- Class A					

SCHEDULE 1 - CLERKS

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
CLERKS DEPARTMENT					
1. LICENCE SECTION					
Livery Vehicle Driver	50.00	50.00	0%	No fee increases for Licence section.	
- photo every 3 years	10.00	10.00	0%	"	
Lodging House	150.00	150.00	0%	"	
Second Level Lodging House	140.00	140.00	0%	"	
- 1 to 10 persons					
- 11 persons or more	280.00	280.00	0%	"	
Lotteries (Bingo & Raffles)	2% of Prize	3% of Prize		Approved by Council July 27/93.	\$77,000
Marriage Licences	53.00	53.00	0%	Provincial limit.	
Old Gold Dealer	25.00	25.00	0%	Provincial limit.	
Pawnbroker (\$2000.00 Surety Bond Required)	210.00	210.00	0%	No fee increases for Licence section.	
Pedlar - Foot	50.00	50.00	0%	"	
- Vehicles	170.00	170.00	0%	"	
Refreshment Vehicle	110.00	110.00	0%	"	
- Motor Vehicle					
- Pedal Vehicle	110.00	110.00	0%	"	
Salvage Yard	20.00	20.00	0%	No fee increases for Licence section.	
Second Hand	20.00	20.00	0%	"	
Steam Bath	270.00	270.00	0%	"	
Tow Truck	110.00	110.00	0%	"	
Tow Truck Driver	50.00	50.00	0%	"	
- photo	10.00	10.00	0%	"	
Transient Trader - every 3 months per location	500.00	500.00	0%	Provincial limit.	

Note: Automatic rounding to next \$10.00 on Licences therefore the increases may exceed 5%.

Minimum licence fee of \$50.00 unless there is a Provincial limit in force.

SCHEDULE 1 - CLERKS

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE		% INCREASE OVER 1993 (4)	EXPLANATION AND/OR COMMENTS (5)	Increases Due to Fee Inc. (6)
	1993	1994			
	(2)	(3)			
CLERKS DEPARTMENT					
1. LICENCE SECTION					
Wheelchair Accessible Integrated Taxicab Owner — each yearly renewal	5.00 5.00	5.00 5.00	0% 0%	No fee increases for Licence section. "	
Tobacco Shops	25.00	25.00	0%	"	
2. ADMINISTRATION					
Photocopies — First page — Each additional page	1.00 0.25	1.00 0.25	0% 0%	No fee increases. "	
Subscription Service	Actual Cost	Actual Cost			
Use of City Hall by Outside Groups	Free	Free			
Assessment Searches	50.00	50.00	0%	"	
Signing of Affidavits	10.00	10.00	0%	"	
Letters re: Licence Verification	20.00	20.00	0%	"	
Fireworks Permits	20.00	20.00	0%	"	
Tag Day Permits	20.00	20.00	0%	"	
LLBO Municipal Clearance	50.00	50.00	0%	"	
Car Dealer Certificate	20.00	20.00	0%	"	
Cab Driver Exam Fee	Free	Free			
Smoking Control Signs	4.00	4.00	0%	"	
1994 NEW FEES FOR APPROVAL :					
3. ADMINISTRATION					
Birth Registration Letters		20.00	NEW	100% New fee proposed.	\$2 500

\$209,000

SCHEDULE OF USER FEES AND OTHER REVENUES

CLERKS DEPARTMENT

5. HAMILTON FARMER'S MARKET

Stand Number	Location
--------------	----------

—

—

SCHEDULE 1 - CLERKS

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE		% INCREASE OVER 1993 (4)	EXPLANATION AND/OR COMMENTS (5)	Increase Due to Fee Inc. (6)
	1993 (2)	1994 (3)			

CLERKS DEPARTMENT

1994 FEES APPROVED BY COUNCIL :

5. HAMILTON FARMER'S MARKET

Amount of Producers and Dealers Fees

Dealer's Fees Payable in Addition to Fees Payable Above to 76 - annual

91.00

91.00

0% Fee approved by Council 11/09/93.

Producer's and Dealer's Fees for Adjacent Stands

Fee for one stand when available, immediately adjacent to a stand for which an annual fee is paid in advance - per day

7.00

7.00

0%

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE		% INCREASE OVER 1993 (4)	EXPLANATION AND/OR COMMENTS (5)	Increase Due to Fee Inc. (6)
	1993 (2)	1994 (3)			
FIRE DEPARTMENT					
1994 FEES FOR APPROVAL :					
1. Fire Inspection Fees					\$1,500
- Copies of Fire Response Reports	17.00	18.00	6%		
- Written confirmation as to whether or not there are any outstanding orders against property	27.00	28.00	4%		
- Inspection of a property in relation to a proposed purchase or for licence purposes other than municipal licences:					
(a) private home day-- care facilities	33.00	34.00	3%		
(b) 1 and 2 family dwellings	33.00	34.00	3%		
(c) other occupancies greater than 4 stories above grade, including L.L.B.O. licence requests	65.00	67.00	3%		
(d) other occupancies greater than 4 stories and specialized occupancies ie: malls and industrial complexes will be charged at a rate commensurate with area and/or inspection time involved	102.00 to 510.00	105.00 to 521.00	3% to 2%		
2. Fire Training Complex					\$250
- Based on prior year's costs (plus staff time)	330.00 /day	400.00 /day - FOR 1 DAY 375.00 /day - IF FOR 2 DAYS 350.00 /day - IF FOR 3 OR MORE DAYS	6% - 21%		
					\$1,750

SCHEDULE 1 - LOCAL ROADS

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE		% INCREASE OVER 1993 (4)	EXPLANATION AND/OR COMMENTS (5)	Increase Due to Fee Inc. (6)
	1993 (2)	1994 (3)			

LOCAL ROADS - REGION

1994 FEES FOR APPROVAL :

TRUCK OVERLOAD FEES

- Tractor trailer	135.00	138.00	2%		
- Single unit truck	225.00	230.00	2%		

SCHEDULE 1 - PARKS

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE		% INCREASE OVER 1993 (4)	EXPLANATION AND/OR COMMENTS (5)	Increase Due to Fee Inc. (6)
	1993 (2)	1994 (3)			
PUBLIC WORKS - PARKS DIVISION					
1. GAGE PARK GREENHOUSE - WEDDING CHARGE					
- Flat fee (7:00 A.M. - 3:00 P.M.)	50.00	50.00	0%	No fee increases.	\$0
- After 3:00 P.M. - per hour	50.00 + O.T. \$47.25/hr.	50.00 + O.T. \$47.25/hr.	0%	" "	\$0

SCHEDULE 1 - PLANNING

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE		% INCREASE OVER 1993 (4)	EXPLANATION AND/OR COMMENTS (5)	Increase Due to Fee Inc. (6)
	1993 (2)	1994 (3)			
PLANNING – BY REGION					
1. 1994 FEES FOR APPROVAL :					
Rezoning Application – Complex – Phase 1	1,100.00	1,120.00	2%	1994 Estimated Number of Applications 29	
– Phase 2	600.00	610.00	2%	22	
– Routine	850.00	865.00	2%	29	
Official Plan Amendment – Phase 1	1,100.00	1,120.00	2%	7	
– Phase 2	600.00	610.00	2%	7	
Site Plan Control	1,000.00	1,020.00	2%	40	
Approved Site Plan Amendment	400.00	410.00	2%	27	
Subdivisions – simple application	550.00	560.00	2%	3	
– complex application	1,000.00	1,020.00	2%	1	
Condominiums	550.00	560.00	2%	3	
Revisions to plans of subdivision and condominiums	350.00	355.00	2%	1	
Draft plan of subdivision extensions	175.00	180.00	2%	1	
Exempt part lot control	300.00	305.00	2%	5	
** Street name change	1,500.00	3,700.00	147%	1	
Property Report – file searches requested for lawyers with respect to O.P. compliance, Hisbtrial Designations, zoning status, etc.	40.00	40.00	0%	12	
Public Notice Recirculation Fee	250.00	255.00	2%	2	
** Rental Housing Protection Act – Phase 1	550.00	1000.00		4 (30 units)	
		Plus \$20 per unit to maximum 40 units			

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
PLANNING - BY REGION					
1994 NEW FEES FOR APPROVAL :					
2. Neighbourhood Plan Preparation and Modified Neighbourhood Plan reviews		1120.00	NEW	1	
3. Condominium Conversions	- Phase 1	1000.00	NEW	2 (40 units)	
		Plus \$20 per unit to maximum 40 units			
4. Condominium Conversions	- Phase 2	250.00	NEW	1	
5. Rental Housing Protection Act	- Phase 2	250.00	NEW	4	

** Revised fees

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION (1)	USER FEE OR CHARGE		% INCREASE OVER 1993 (4)	EXPLANATION AND/OR COMMENTS (5)	Increase Due to Fee Inc. (6)
	1993 (2)	1994 (3)			

PROPERTY DEPARTMENT

1994 FEES FOR APPROVAL :

ADMINISTRATION

- Cost of labour / materials:
 - \$1.00 to \$200.00
 - \$201.00 to \$500.00
 - \$501.00 to \$700.00
 - over \$700.00

49.00					\$608
68.00					
86.00					
105.00					

* proposed user fee reflects projected 1994 salaries & benefits for one Property Control Officer (assuming no increase for 1994 and no lay-off for Social Contract days) plus car allowance.

1994 OTHER REVENUE:

RENTALS

2. Regional Departments - (3 yr. lease Dec.1/91 - Nov.30/94 *)

City Hall :

Planning Dep't. (7th Floor)	88,245.30	88,245.30	0.0%		\$0
Engineering Dep't. (7th Floor)	40,869.40	40,869.40	0.0%		
" (6th Floor)	129,114.70	129,114.70	0.0%		
" (5th Floor)	41,941.90	41,941.90	0.0%		
" (Basement Vault)	4,400.00	4,400.00	0.0%		
Information Systems	96,144.00	96,144.00	0.0%		
Total City Hall	400,715.30	400,715.30	0.0%		

Kenilworth Ave. N. Composite Building :

- Police Department
- Health Department

0.00	NA	Tenant left January 1, 1993
5,305.30	-100.0%	Tenant to vacate October 1, 1993
5,305.30	-100.0%	

Upper Wentworth Composite Building :

- Health Department

9,093.33	-100.0%	Tenant to vacate January 1, 1994
----------	---------	----------------------------------

Health Building :

- Social Services Department (1st Floor)
- Social Services Dep't. (2nd/3rd Floors)

63,664.28	0.0%	
142,349.90	0.0%	
206,014.18	0.0%	
606,729.48	-2.3%	

Total Annual Rental

621,128.11		
------------	--	--

* assumes no increase in rental amounts following expiration of the current 3 yr. lease

SCHEDULE 1 - PROPERTY

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS		Increase Due to Fee Inc.
	1993	1994		(4)	(5)	
(1)	(2)	(3)	(4)	(5)	(6)	
PROPERTY DEPARTMENT						
1994 OTHER REVENUE:						
RENTALS						
3. Civic Properties - monthly						\$0
- 563 Aberdeen	275.00	284.00	3.3%			
- 240 Burlington St.E. (Municipal Storage)	0.00	0.00	NA			
- 52/56 Charlton W. (Big Sisters Assoc.)	1300.00	1300.00	0.0%	no increase		
- 499 Charlton E.	485.00	501.00	3.3%	"		
- 107 Graham N.	610.00	630.00	3.3%	"		
- 109 Graham N.	608.00	627.00	3.1%	"		
- 113 Graham N.	446.00	460.00	3.1%	"		
- 48 Holly	446.00	460.00	3.1%	"		
- 50 Holly	419.00	432.00	3.1%	"		
- 375 James S. (Boy Scouts Assoc.)	1.00	1.00	0.0%	no increase		
- 485 John N. (North-end Res. Org.)	0.00	0.00	NA			
- 401-403 King W. (Ham. Wesley House)	550.00	550.00	0.0%	no increase		
- 2656 King St. E.	552.00	575.00	4.2%	vacant as at May 1, 1993/expect to rent prior to year-end		
- 2787 King St. E. (Lower)	284.00	284.00	0.0%	no increase until January 1, 1995/new tenants in 1993		
- 2787 King St. E. (Upper)	559.00	0.00	-100.0%	vacant as at June 1, 1993/rent status unknown at this time		
- 130 Lawrence	262.00	270.00	3.1%	"		
- 1150 Leaside	412.00	425.00	3.2%	"		
- 112 Province St. N.	419.00	432.00	3.1%	"		
- 306 Rymal E.	279.00	0.00	-100.0%	vacant as at Oct. 1, 1993/rent status unknown at this time		
- 662 Rymal E.	597.00	616.00	3.2%			
- 1086 West 5th	279.00	0.00	-100.0%	vacant as at Oct. 1, 1993/to be demolished		
- Red Hill School	500.00	500.00	0.0%	no increase		
	9283.00	8347.00				\$0
4. Football Hall of Fame - monthly						
Press Club - (weighted average amount)	768.30	802.00	4.4%	March 15/93 - March 14/94 = \$773.97 March 15/94 - March 14/95 = \$809.57 lease agreement expires March 14/97		
5. Credit Union	6666.67	6667.00	0.0%	5 year lease - Nov.2/91 - Nov.1/96.		
6. City Hall Cafeteria - monthly	1000.00	1000.00	0.0%	5 year lease - April 6/92 - April 5/97.		
	+ 10% gross sales	+ 10% gross sales				\$0

SCHEDULE 1 - RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
RECREATION DEPARTMENT					
SENIOR CITIZENS CENTRES					
Central YWCA - Memberships	12.00	15.00	25%	Rates Are Rounded Off And Include G.S.T.	(1,065)
Main/Hess Complex - Memberships	12.00	15.00	25%	Central YWCA have maintained membership numbers.	(500)
Ottawa St. YWCA - Memberships	12.00	15.00	25%	The Ottawa Street YWCA & Main - Hess Centre	(6,250)
Sackville Hill - Memberships	12.00	15.00	25%	membership numbers have declined.	20,000
Non-resident Fees Add 50%					
Sackville Hill					
- Meeting Rooms - Single	0.00	45.00 per hour	NEW	Minimal available rental time due to program demand. Space is utilized almost to maximum, there fore little opportunity to generate revenue from rentals.	2,000
- Commercial - Double	0.00	70.00 per hour			
- Non-Profit - Single	0.00	30.00 per hour			
General Public - Double	0.00	50.00 per hour			
- Non-Profit - Single	0.00	20.00 per hour			
Sr. Membership - Double	0.00	35.00 per hour			
- Non-Profit - Single	0.00	25.00 per hour	Rates compare favourably to comparable rental facilities in Hamilton.		
Com. Organization - Double	0.00	40.00 per hour			
- Multi-Purpose Room					
- Commercial - All Business	0.00	100.00 per hour			
- Non-Profit - General Public	0.00	75.00 per hour			
- Non-Profit - Sr. Membership	0.00	75.00 per hour			
- Non-Profit - Community Org.	0.00	85.00 per hour	Minimum 3 Hrs.		
- Card Shows - Commercial/Gen. Pub.	0.00	20.00 per table			
- Card Shows - Sr. Membership	0.00	15.00 per table			
- Tables @ Sackville Hill Bazaars	0.00	15.00 per table	Minimum 25 Tables		
Additional Charges - (On Request), (\$50.00 Security Deposit Required)					
- TV/VCR	0.00	10.00			
- Audio System	0.00	10.00			
- Overhead Projector	0.00	10.00			
- Bingo Machine	0.00	10.00			
- All Sports Equipment	0.00	5.00			

SCHEDULE 1 - RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)

RECREATION DEPARTMENT

CHEDOKE GOLF CLUB & PRO SHOP

- Golf Memberships

PLAN A

- Adult	595.00
- Adult Non - Resident	695.00
- Couples	1,100.00
- Couples Non - Resident	1,200.00
- Family	1,225.00
- Family Non - Resident	1,325.00
- Juniors	235.00
- Juniors Non - Resident	335.00
- Intermediate	380.00
- Intermediate Non - Resident	480.00
- Pensioners	380.00
- Pensioners Non - Resident	570.00

- Recommended Under Separate Report

" " " " " " " " " " " "

- Golf Memberships

- fee as indicated plus 1/2 of applicable green fee rate

PLAN B

- Adult	200.00
- Adult Non - Resident	300.00
- Couples	370.00
- Couples Non - Resident	470.00
- Family	405.00
- Family Non - Resident	505.00
- Juniors	75.00
- Juniors Non - Resident	275.00
- Intermediate	125.00
- Intermediate Non - Resident	225.00
- Pensioners	125.00
- Pensioners Non - Resident	225.00

- Recommended Under Separate Report

" " " " " " " " " " " "

SCHEDULE 1 - RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
RECREATION DEPARTMENT					
CHEDOKE GOLF CLUB & PRO SHOP					
- Green Fees					
- Martin - 18	19.00			- Recommended Under Separate Report	
- Martin - Pensioners / Junior	12.00			" "	
- Martin - Twilight	10.00			" "	
- Beddoe - 18	23.00			" "	
- Beddoe - Pensioners	16.00			" "	
- Beddoe - Twilight	14.00			" "	
- Concession Fee	24,310.00			- Pending Tendering Process	
- Between J.A. Enterprises and City of Hamilton (contract expires February 28, 1994)					
- Locker Fee - for members only	20.00			- Recommended Under Separate Report	
CHEDOKE WINTER SPORTS PARK					
- Tow Fee					60,350
- Adults (18 & over)					
- Full Day	13.00	15.00	15%	Due to substantial user increase during the '93 Season	
- Half Day	11.00	12.00	9%	recommend minimal increase for '94 to build base	
- Youth (under 18 yrs.), Special Needs and Seniors				1993 projected revenues did not reflect the rate increases, therefore, revenues exceeded projections.	
- Full Day	12.00	12.00	0%	"	
- Half Day	10.00	10.00	0%	"	
- Ski Lift Packages (10 tickets)					
- Adult	90.00	100.00	11%	"	
- Youth	80.00	90.00	13%	"	

SCHEDULE 1 - RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
	(2)	(3)			
(1)			(4)	(5)	(6)
RECREATION DEPARTMENT					
CHEDOKE WINTER SPORTS PARK					
- Chedoke Ski School					
- Adults/Youth	24.00	24.00	0%	Due to substantial user increase during the '93 Season	
- Child	18.00	18.00	0%	recommend minimal increase for '94 to build base	
- Chedoke Racing School (all participants)	45.00	45.00	0%	"	
- Hamilton Association for Disabled Skiers (flat fee)	1000.00	1000.00	0%	"	
KING'S FOREST GOLF CLUB & PRO SHOP					
- Golf Memberships	PLAN A				
- Adult	700.00			Recommended Under Separate Report	
- Adult Non – Resident	800.00			"	
- Couples	1,260.00			"	
- Couples Non – Resident	1,360.00			"	
- Family	1,400.00			"	
- Family Non – Resident	1,500.00			"	
- Juniors	305.00			"	
- Juniors Non – Resident	405.00			"	
- Intermediate	400.00			"	
- Intermediate Non – Resident	500.00			"	
- Pensioners	400.00			"	
- Pensioners Non – Resident	500.00			"	
- Green Fees					
- 18 hole	25.00			"	
- 9 hole	16.00			"	
- Pensioners	18.00			"	
- Twilight	16.00			"	
- Concession Fee	25,520.00			Pending Tendering Process	
- Locker Fee – for members only	20.00			Recommended Under Separate Report	

SCHEDULE 1 - RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993		EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994	(4)	(5)		
(1)	(2)	(3)	(4)	(5)	(6)	(6)
RECREATION DEPARTMENT						
KING'S FOREST GOLF CLUB & PRO SHOP						
- Golf Memberships	PLAN B					
- Adult	235.00				Recommended Under Separate Report	
- Adult Non-Resident	335.00				"	
- Couples	420.00				"	
- Couples Non-Resident	520.00				"	
- Family	470.00				"	
- Family Non-Resident	570.00				"	
- Juniors	78.00				"	
- Juniors Non-Resident	178.00				"	
- Intermediate	135.00				"	
- Intermediate Non-Resident	235.00				"	
- Pensioners	135.00				"	
- Pensioners Non-Resident	235.00				"	
GLOBE PARK DIAMONDS						
- Rental Fee						8,730
- Weekday per hour	9.00	9.45	5%		Rates Are Rounded Off & Include G.S.T.	
- Weekend per hour	10.50	11.00	5%		5% represents an affordable increase to user groups, facilities are utilized to the maximum.	
- Holidays per hour	11.75	12.35	5%		Recommend a steady increase in rates.	
- Tournament (Flat Fee)						
- Daily until 6:00 PM	260.00	273.00	5%		Cost recovery basis.	
- Daily until dusk	325.00	341.25	5%			
- Lighting Charges						
- Flat Fee Per Diamond, Per Date		25.00			Cost recovery basis.	
SPORTS FIELDS						
- Outside Fields						
- Youth Groups	1.12	2.00	79%		Rates Are Rounded Off And Include G.S.T.	
	(per diamond, per date)	(per diamond, per date)			\$5.00 charged to all groups for unlimited number of dates and diamonds, prior to 1990.	
	(max. per diamond \$50.00)	(max. per diamond \$70.00)			Per diamond, per date fee was initiated in 1990.	
		(per season)			The "maximum" rate is intended to continue to subsidize youth activities, but recover costs in adult use.	
- Adult Groups	5.62	10.00	78%			
	(per diamond, per date)	(per diamond, per date)				
	(max. per diamond \$350.00)	(max. per diamond \$420.00)				
		(per season)				

SCHEDULE 1 - RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)

RECREATION DEPARTMENT

MAJOR PARK FACILITIES

(Bernie Arbour, Brian Timmis, Mohawk Sports Complex, H.A.A.A., Victoria Park)

	Day	Lights	Day	Lights	
- Semi-Pro					
- Game	weekend (or 15%)	32.40	37.70	39.60	5% Rates Are Rounded Off And Include G.S.T.
- Practice	weekend (or 15%)	44.20	51.90	54.50	5% 5% represents an affordable increase to user groups, facilities are utilized to the maximum.
- Amateur Adult	weekend	20.70	23.50	24.70	5% Recommend a steady increase in rates to cover full operating costs estimated to be \$30. - \$70. per game depending on preparation and facility requirements.
- Game	weekend (or 15%)	15.50	20.70	21.75	5% Clean-up costs can be recovered from user group in addition to rental fees.
- Practice	weekend (or 15%)	20.70	30.00	31.50	5%
- Minor / Youth	weekend	10.50	19.50	20.50	5%
- Game	weekend	15.45	19.50	20.50	5%
- Practice	weekend	14.20	18.20	19.10	5%
- Boards of Education - Public & Separate	weekend (or 15%)	15.50	20.70	21.75	5%
- Game	weekend	6.50	11.70	12.30	5%
- Practice	weekend	11.70	15.20	15.95	5%
- Track & Field					
- Daily Rate		220.00		231.00	5%
- School Rates		33.00		34.65	5%

Tournament Application Deposit Will Be 10% Of The Total Rental Cost (Non-Refundable)

Special Events Permit Fee

- Category 1 : festivals two days or more	100.00 per day	125.00 per day	25%	Rates Are Rounded Off And Include G.S.T.
- Category 2 : Community Events of one day	20.00 per day	25.00 per day	25%	Recommend a steady increase in rates to recover full operating costs.
- Category 3 : Sports Events in both multi or single sport programs	according to rental policy	according to rental policy		

Rental - Park & Pavilion

- Dundurn Park - Pavilion	weekdays	30.00	31.50	5%	Rates Are Rounded Off And Include G.S.T.
- open space - permitted	weekends	35.00	36.75	5%	"
- Bandshell rental - Gage Park	weekdays	10.00	15.00	50%	"
- Tennis Court Rentals	weekends	45.00	47.25	5%	"
		50.00	52.50	5%	"
		3.15 first hr.	5.00 first hr.	59%	"
		2.15 ea. add. hr.	4.00 ea. add. hr.	86%	"

SCHEDULE 1 - RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
RECREATION DEPARTMENT					
IVOR WYNNE STADIUM					
Rental - Stadium - Soccer / Football					
- Semi-Pro (Games)	Day 92.10 or 15%	Day 96.70 or 15%	Lights 155.40 or 15%	5% Rates Are Rounded Off And Include G.S.T.	2.480
- Weekends	92.10 or 15%	96.70 or 15%	155.40 or 15%	5% represents an affordable increase to user groups.	
- Holidays	97.30 or 15%	102.15 or 15%	170.30 or 15%	5% User groups only of hourly rental groups, minor sports championships, pre-season soccer practices.	
- Semi-Pro(Practices)	18.20	19.10	+ lighting chrgs	5% Board(s) of Education have reduced hours from previous years for sports, such as, soccer, field hockey, and football.	
- Weekdays	20.70	21.75	+ lighting chrgs	5% Stadium is under utilized, no major tenant, and loss of revenue from pro-football and soccer.	
- Weekends	23.50	24.70	+ lighting chrgs	5% Rates Are Rounded Off And Include G.S.T.	
- Amateur Adult (Games)	54.40 or 15%	57.10 or 15%	114.45 or 15%	5% 5% represents an affordable increase to user groups.	
- Weekdays	57.20 or 15%	60.05 or 15%	120.00 or 15%	5% User groups only of hourly rental groups, minor sports championships, pre-season soccer practices.	
- Weekends	60.90 or 15%	63.35 or 15%	125.25 or 15%	5% Board(s) of Education have reduced hours from previous years for sports, such as, soccer, field hockey, and football.	
- Amateur Adult (Practices)	13.00	13.65	+ lighting chrgs	5% Stadium is under utilized, no major tenant, and loss of revenue from pro-football and soccer.	
- Weekdays	19.50	20.45	+ lighting chrgs	5% Rates Are Rounded Off And Include G.S.T.	
- Weekends	23.50	24.65	+ lighting chrgs	5% 5% represents an affordable increase to user groups.	
- Minor (Games)	45.40 or 15%	47.65 or 15%	95.35 or 15%	5% User groups only of hourly rental groups, minor sports championships, pre-season soccer practices.	
- Weekdays	47.90 or 15%	50.30 or 15%	95.35 or 15%	5% Board(s) of Education have reduced hours from previous years for sports, such as, soccer, field hockey, and football.	
- Weekends	49.70 or 15%	52.20 or 15%	106.35 or 15%	5% Stadium is under utilized, no major tenant, and loss of revenue from pro-football and soccer.	
- Minor (Practices)	12.20	12.80	+ lighting chrgs	5% Rates Are Rounded Off And Include G.S.T.	
- Weekdays	15.50	16.25	+ lighting chrgs	5% 5% represents an affordable increase to user groups.	
- Weekends	18.30	19.20	+ lighting chrgs	5% User groups only of hourly rental groups, minor sports championships, pre-season soccer practices.	
- Boards of Education (Public & Separate)				5% Board(s) of Education have reduced hours from previous years for sports, such as, soccer, field hockey, and football.	
- Regular Season Games	62.40	65.50		5% Stadium is under utilized, no major tenant, and loss of revenue from pro-football and soccer.	
- Playoff Games	64.60	67.85		5% Rates Are Rounded Off And Include G.S.T.	
- Exhibition Games	25.90	27.20	+ lighting chrgs	5% 5% represents an affordable increase to user groups.	

SCHEDULE 1 - RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc. (6)
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
RECREATION DEPARTMENT					
IVOR WYNNE STADIUM					
Lighting Charges					
- Semi Pro	224.60	235.85	5%	Rates Are Rounded Off And Include G.S.T.	
- 1/2 Lights (4 banks)	114.30	120.00	5%	"	
- 1/4 Lights (2 banks)	51.90	54.50	5%	"	
- Amateur Adult	190.60	200.15	5%	"	
- 1/2 Lights (4 banks)	97.30	102.15	5%	"	
- 1/4 Lights (2 banks)	51.90	54.50	5%	"	
- Bd. of Education	166.20	174.50	5%	"	
- 1/2 Lights (4 banks)	72.60	76.20	5%	"	
- 1/4 Lights (2 banks)	44.20	46.40	5%	"	
Note: All above fees are hourly charges - towards cost recovery.					
Rental - Stadium - Special Events					
- Community Organizations					
- No gate tickets	896.50	941.30	5%	"	
- With ticket sales	780.00 Minimum or 15%	819.00 Minimum or 15%	5%	"	
Rental - Stadium - Special Events					
- Non - Profit Organizations	2,699.70	2,834.70	5%	"	
(all proceeds - Charitable causes)					
Profit - Commercial Organizations	Negotiable				
Green Room - Reception Area	34.65	36.40	5%	"	

SCHEDULE 1 - RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
RECREATION DEPARTMENT					
COMMUNITY RECREATION CENTRES					
- Universal Memberships					
- Family	70.00	70.00	0%	Rates are rounded off and include G.S.T.	1,770
- Single Parent Family	55.00	55.00	0%	Rates to encourage family use.	
- Adult	50.00	55.00	10%	Membership fees are to provide access to the Centres,	
- Youth (17 and under)	10.00	15.00	50%	all programs requiring instructors and equipment	
- Seniors & Disabled	12.00	15.00	25%	are operated on a cost recovery basis.	
- Replacement	3.00	3.00	0%		
- Instructional	10.00	10.00	0%		
(Special Interest Programs)					
Non-Residential Rate - premium of 50% per current policy.					
- Admission Fees					
- Family	4.40	5.00	14%		
- Single Parent Family	4.00	4.40	10%	" "	
- Adult (18 and up)	3.00	3.00	0%	" "	
- Youth (13 to 17 Years)	2.00	2.00	0%	" "	
- Seniors & Disabled	2.00	2.00	0%	" "	
- Rental Rates					
- Community Rooms					
- Youth Groups - per hour	15.00	15.00 (2 hrs./\$25.)	0%	Due to program use of facilities limited opportunity	
- Adult Groups - per hour	20.00	20.00 (2 hrs./\$30.)	0%	to generate revenue from rentals.	
- Card Shows - per hour	40.00	Negotiable		" "	
(per table)	10.00	Negotiable		" "	
- Daytime Self-Contained Programs	0.00	15.00 (per 1/2 day)		Non-Profit & Service Agencies i.e. Catholic Social Services	
- Commerical Groups - per hour	0.00	40.00		New Category	
- Seasonal Rates (10 Week Duration)					
- Youth Groups	0.00	125.00		New Category	
- Adult Groups	0.00	125.00		" "	
- Gymnasium - Card Shows - per hour	50.00	Negotiable		Rates are rounded off and include G.S.T.	
(per table)	10.00	Negotiable		" "	

SCHEDULE 1 - RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS		Increase Due to Fee Inc.
	1993	1994		(4)	(5)	
(1)	(2)	(3)	(4)	(5)	(6)	
RECREATION DEPARTMENT						
COMMUNITY RECREATION CENTRES						
- CENTRAL MEMORIAL/HUNTINGTON PARK RECREATION CENTRES						
- Youth Groups - per 4 hour period - Grandfathered Rate						
- weekdays	7.86			27%	The City's only stand alone facilities are being adjusted to compare with other facility rates from such other agencies as the Boards of Education, Legions, etc.	
- weekends/holidays	25.84			16%	Staffing costs during rental periods are minimal. This category was highly subsidized, is now developing towards cost recovery.	
- Adult Groups - Grandfathered Rate					Recommending existing youth groups be grandfathered under the 1993 rate plus a nominal increase until September 1994.	
- weekdays	38.20 (per 4 hours)	15.00 (per hour)			Recommending existing adult groups be "grandfathered" under the 1993 rental rate plus a nominal increase until September 1994.	
- weekends/holidays	71.90 (per 4 hours)	20.00 (per hour)				
- Youth Groups (All New Groups)						
- weekdays	7.86 (per 4 hour)	10.00 (per hour)				
- weekends/holidays	25.84 (per 4 hour)	15.00 (per hour)				
- Adult Groups (All New Groups)						
- weekdays	38.20 (per 4 hours)	20.00 (per hour)			New recommended rate will be applicable to all new youth rental groups & commencing September 1994 for all grandfathered groups.	
- weekends/holidays	71.90 (per 4 hours)	25.00 (per hour)				
- Pools (2 lifeguards) - per hour	75.00	75.00 (prime time)	0%		New recommended rate will be applicable to all new adult rental groups & commencing September '94 for all grandfathered groups.	
- additional lifeguard - per hour	0.00	50.00 (non-prime time)	0%			
- Hot Pool rental	15.00	15.00	0%		Grandfathering allows groups to adjust their budgets for future years.	
- per hour - 1 lifeguard						
- additional lifeguard - per hour	20.00		25%		Mon. - Fri. after 4:30 p.m., Sat. & Sun. - All Day	(337,970)
	15.00		0%		Mon. - Fri. 9:00 am - 4:00 pm	
					1993 Total Budget was based on 1992 Board of Education usage. In early 1993 the Board of Education reduced hours of use by approximately 1/2.	
					1994 projections are based on 1993 projected actuals and current Board of Education usage.	
					We anticipate a further reduction of hours in 1994, however, have not received confirmation from the Board of Education.	
- Huntington Park Slide Rental	0.00	25.00 (per hr. + pool rental rate)			New Category	

SCHEDULE 1 - RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
RECREATION DEPARTMENT					
COMMUNITY RECREATION CENTRES					
- Rental Rates					
- Private/Semi-Private Swimming Instruction					
- Private - per person/per lesson	-	20.00		New Category	10,000
		maximum 4 lesson/session		Sessions are 45 minute duration.	
- Semi-Private - per person/per lesson	-	10.00		Lessons will be booked at a central location to better utilize pools with available time.	
		maximum 4 lesson/session			
Aquatic fee (course) - per session (with membership)	10.00	15.00	50%	Fee are most reasonable for aquatic programs with high demand and towards full cost recovery.	72,280
Advanced Aquatic Fee - (Bronze & Bronze Cross)	10.00	25.00	150%	Recommendations are comparable to other municipalities of similar size. Aquatic fees (card) has increased 50% over the last two years.	
OUTDOOR POOLS - June 1 - Labour day					
- Universal Memberships					
- Family	20.00	20.00	0%	Rates Are Comparable - Recommend No Increase For	1,030
- Single-Parent Family	15.00	15.00	0%	1994. Revenue increased over 1993 projections due to	
- Adult	10.00	10.00	0%	good weather, therefore, predict a slight increase	
- Youth	6.00	6.00	0%	in 1994.	
- Seniors & Disabled	6.00	6.00	0%	" "	
- Replacement	1.00	1.00	0%	" "	
Non-Residential Rate - premium of 50% per current policy.					
- Admission Fees					
- Family	3.00	3.00	0%	" "	
- Single Parent Family	2.00	2.00	0%	" "	
- Adult (18 and up)	1.50	1.50	0%	" "	
- Youth (13 to 17 Years)	1.00	1.00	0%	" "	
- Seniors & Disabled	1.00	1.00	0%	" "	

SCHEDULE 1 - RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
RECREATION DEPARTMENT					
COMMUNITY ARENAS					
- Universal Memberships					
- Family	35.00	35.00	0%	Rates are rounded off and include G.S.T.	107,450
- Single Parent Family	25.00	25.00	0%	All arenas with the exception of the	
- Adult	20.00	20.00	0%	Mountain Skating Centre.	
- Youth (13-17 Years)	10.00	10.00	0%	Rates are lower than Skating Centre due to	
- Seniors & Disabled	12.00	15.00	25%	the decrease of public open skating periods.	
- Replacement	3.00	3.00	0%	" "	
- Instructional	10.00			Not Utilized	
Eliminate Category					
MOUNTAIN SKATING CENTRE					
- Memberships					
- Family	0.00	45.00		New Category	
- Single Parent Family	0.00	35.00		More public open skating periods available at this facility,	
- Adult	0.00	30.00		therefore, memberships are better utilized.	
- Youth (13-17 Years)	0.00	15.00		" "	
- Seniors & Disabled	0.00	15.00		" "	
- Replacement	0.00	3.00		" "	
- Admission Fee	0.00	1.00		" "	
For Universal Membership Card Holders					
Non-Residential Rate - premium of 50% per current policy.				Any universal card holder who wishes to skate at Mountain Skating Centre will be required to pay \$1.00 admission fee, per visit.	
- Admission Fees					
- Family	4.40	5.00	14%	Rates are rounded off and include G.S.T.	
- Single Parent Family	4.00	4.40	10%	" "	
- Adult (18 and up)	3.00	3.00	0%	" "	
- Youth (13 to 17 Years)	2.00	2.00	0%	" "	
- Seniors & Disabled	2.00	2.00	0%	" "	
- Community Room Rentals					
- Youth Groups - per hour	15.00	15.00 (2 hrs./\$25.)	0%	" "	
- Adult Groups - per hour	20.00	20.00 (2 hrs./\$30.)	0%	" "	
- Card Shows - per hour	40.00	Negotiable			
- (per table)	10.00	Negotiable			
- Daytime Self-Contained Programs	0.00	15.00 (per 1/2 day)			
- Commercial Groups - per hour	0.00	40.00		Regular Program Users i.e. Weight Watchers, Scouts, etc.	
- Serving alcoholic beverages - per hour	40.00	40.00	0%	Rates are rounded off and include G.S.T.	
- Selling alcoholic beverages - per hour	50.00	50.00	0%	" "	

SCHEDULE OF USER FEES AND OTHER REVENUES

32

SCHEDULE 1 -- RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		NEW	% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994				
(1)	(2)	(3)		(4)	(5)	(6)
RECREATION DEPARTMENT						
TWIN PAD ARENA -- Year Round						
- Adult -- per hour						
- Non -- prime time (6:00 AM -- 5:00 PM)	0.00	130.00				
- Prime time (5:00 PM -- Midnight Weekdays (8:00 AM -- 11:00 PM Weekends)	0.00	160.00				
- Youth -- per hour						
- Non -- prime time (6:00 AM -- 5:00 PM)	0.00	100.00				
- Prime time (5:00 PM -- Midnight Weekdays (8:00 AM -- 11:00 PM Weekends)	0.00	100.00				
BOARD OF EDUCATION -- Community use of schools						
Rental -- Schools						
- (A) Youth Groups (subsidized rate) -- per 4 hour period -- grandfathered (includes children, youth, Cubs, Scouts, Brownies, Guides)						
- weekdays	7.86	10.00		27%	This category is highly subsidized. Existing groups are grandfathered until September 1994, when the (B) rates will be in effect.	11,440
- weekends/holidays	25.84	30.00		16%		
- adult organizations (not subsidized)						
- weekdays/per 4 hour block	38.20	38.20		0%	Budget provides for subsidization for existing user groups only during weekday usage.	
- Saturday per hour + 1 hour	23.59	23.59		0%	Budget does not provide for subsidization of schools on weekends, due to Board of Education staffing charges.	
- Sunday/holidays per hour + 1 hour	31.46	31.46		0%		
- community councils (subsidized rate) -- per 4 hour period -- grandfathered						
- weekdays	13.48	20.00		48%	Adult organizations are not subsidized and reflect fees paid by the Department to the Hamilton Board of Education.	
- weekends	25.84	35.00		35%		
- St. John's Ambulance (fully subsidized)	FREE	FREE				
- (B) Youth Groups & Community Councils						
- weekdays/per 4 hour block	0.00	25.00				
- Saturdays per hour + 1 hour	0.00	23.59				
- Sundays/holidays per hour + 1 hour	0.00	31.46				

SCHEDULE 1 - RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
	(2)	(3)			
(1)			(4)	(5)	(6)
RECREATION DEPARTMENT					
COMMUNITY CENTRES					
Barton Community Centre					
- Private / Commercial	75.40	40.00 per hour		Comparable Rates With Other Department Facilities	5,500
- Adult Groups	34.90	20.00 per hour		"	
- Youth Groups	6.70	15.00 per hour		"	
Normanhurst Community Centre					
- Private / Commercial	34.90	40.00 per hour		"	
- Adult Groups	34.90	20.00 per hour		"	
- Youth Groups	6.80	15.00 per hour		"	
- Seniors Groups	2.00	3.00	50%	"	
- Kiwanis Club	6.80	10.00	47%	"	
Eastmount Community Centre					
- Private / Commercial	34.90	40.00 per hour		"	
- Adult Groups		20.00 per hour		"	
- Youth Groups		15.00 per hour		"	
					625,645

SCHEDULE 1 - RECREATION

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE			% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994				
(1)	(2)	(3)		(4)	(5)	(6)
CULTURE DIVISION						
MUSEUMS						
Admission Fee - Dundurn Castle						
- Adult	4.00	4.50	General Admission	13%	Rates Are Rounded Off And Include G.S.T.	35,720
- Senior	2.50	2.75	General Admission	28%	(includes admission to the Military Museum)	
- Student	2.50	2.75	General Admission	28%	"	
- Child (6 to 14 Years)	1.50	1.75	General Admission	20%	"	
- Family			General Admission		New Category (2 adults plus siblings from child and student category).	
			General Admission		Initiated due to requests and for benefit of local repeat visitor.	0
Admission Fee - Hamilton Military Museum						
- Adult	1.55	1.75	General Admission	0%	General Rationale:	
- Senior	1.35	1.50	General Admission	0%	Attempt to keep prices on par with other similar facilities.	
- Student	1.35	1.50	General Admission	0%	Prices (most) have been increased for a few years.	
- Child (6 to 14 Years)	1.10	1.25	General Admission	7%	Prices are still very reasonable for the value and can bear the current market.	1,150
- Programme - Student (14 and under)	1.50	1.65	General Admission	0%		
- Programme - Student (over 14)	1.70	1.90	General Admission	13%		
Admission Fee - Whitehern						
- Adult	2.00	2.25	General Admission	16%		
- Senior	1.55	1.75	General Admission	16%		
- Student	1.55	1.75	General Admission	23%		
- Child (6 to 13 Years)	1.10	1.25	General Admission	19%		
- Programme - Child	1.35	1.50	General Admission			
Admission Fee - Children's Museum						
- Adult - with children			Free			0
- Adult - without children			2.25	13%		
- Child (3-13 also adults, seniors, students unaccompanied by a child)			2.25	13%		
- Child - in group (programme)			2.00	33%		
Admission Fee - Hamilton Museum of Steam & Technology						
- Adult	2.00	2.25	General Admission	13%		1,000
- Senior	1.55	1.75	General Admission	16%		
- Student	1.55	1.75	General Admission	16%		
- Child (6 to 14 Years)	1.35	1.50	General Admission	0%		
- Programme			General Admission			
- Membership Fees - The Pumphouse Association (non-profit organization)						
- regular membership	10.00	10.00		0%		0
						37,870

SCHEDULE 1 - STREETS

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
PUBLIC WORKS – STREETS AND SANITATION					
1994 FEES FOR APPROVAL :					
1. ADMINISTRATION					
Administration Fee – fee for work done for Region	cost plus 7%	cost plus 7 %			
Administration Fee – Lawyers	16.00	21.00	31 %		
– administration/processing fee charged to legal firms to verify status of snow – clearing/weed – cutting charges					
2. ROADWAY TREE TRIMMING					
Tree Trimming & Removal					
– Tree trimming (Hamilton Hydro)	33.00	33.00	0 %	Based on contractual arrangement between the City	
– Tree Removal (Hamilton Hydro)	127.00	127.00	0 %	and Hamilton Hydro.	
– Tree trimming/removal for public	cost	cost			
3. BANNER INSTALLATION	215.00	230.05	7 %		
4. LITTER BY – LAW ENFORCEMENT					
Fines – City – maximum	2,000.00	2,000.00	0 %		
5. Catchbasin Opening (lost item retrieval) (Note: No fee charged for Police/S.P.C.A.)		20.00	NEW 100 %		

SCHEDULE 1 - TRAFFIC

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
TRAFFIC DEPARTMENT					
1994 FEES FOR APPROVAL :					
1. ADMINISTRATION					
Administration Fee – work done for Region	cost plus 7 %		cost plus 7 %	0%	No fee increases.
Traffic Counts	– photocopies of counts provided to the public – per sheet	1.00	1.00	0%	" "
Traffic Manuals	– traffic control manuals issued by the M.T.O. (sold to contractors etc. by Traffic at cost)	10.00	10.00	0%	" "
2. TRAFFIC BY–LAW ENFORCEMENT					
Fines – City		Early Payment	Set Fine	Early Payment	Set Fine
– Overtime Parking					
– exceeded paid limit		8.00	12.00	8.00	12.00
– exceeded hour limit		8.00	12.00	8.00	12.00
– Unauthorized Parking					
– Municipal property		20.00	30.00	20.00	30.00
– no valid permit		20.00	30.00	20.00	30.00
– private property		20.00	30.00	20.00	30.00
– improperly parked		20.00	30.00	20.00	30.00
– Parking Prohibited					
– signed area		20.00	30.00	20.00	30.00
– sidewalk		20.00	30.00	20.00	30.00
– boulevard		20.00	30.00	20.00	30.00
– through street		20.00	30.00	20.00	30.00
– heavy vehicle		20.00	30.00	20.00	30.00
– facing wrong way		20.00	30.00	20.00	30.00
– fire route		20.00	30.00	20.00	30.00
– loading zone		20.00	30.00	20.00	30.00
– more than 12" from curb		20.00	30.00	20.00	30.00
– Stopping Prohibited					
– signed area		50.00	75.00	50.00	75.00
– taxi area		50.00	75.00	50.00	75.00
– fire route		50.00	75.00	50.00	75.00
– bus stop		50.00	75.00	50.00	75.00
– commercial vehicle loading zone		50.00	75.00	50.00	75.00

SCHEDULE 1 - TRAFFIC

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
TRAFFIC DEPARTMENT					
1994 FEES FOR APPROVAL (continued) :					
2. TRAFFIC BY-LAW ENFORCEMENT					
Fines - City	Early Payment	Set Fine	Early Payment	Set Fine	
- Stopping Prohibited					
- within 20' of crosswalk	50.00	75.00	50.00	75.00	0% No fee increases.
- obstructing driveway	50.00	75.00	50.00	75.00	0% "
- within 10' of hydrant	50.00	75.00	50.00	75.00	0% "
- Snow Route					
- declared snow emergency	35.00	50.00	35.00	50.00	0% "
- Handicapped Space					
- no permit displayed	100.00	150.00	100.00	150.00	0% "
3. RESIDENTIAL BOULEVARD PARKING					
Handling Fee (\$10 goes toward Rec. - Insurance Prem. below)		20.00	20.00		0% "
Application (approved) fee		30.00	30.00		0% "
Recovery - Insurance Premium (see below) - encroachment insurance		10.00	10.00		0% "
4. ON-STREET PARKING					
Meter Fees - meter fees from various districts	0.50 - 1.00		0.50 - 1.00		0% "
On Street Parking Permit Fees					
- per permit (must live on street)	12.00		12.00		0% Original recommendation to increase fee to \$3.00/month, and increase annually by the C.P.I. DEFEATED.
- time-limit permit (must live in area)	24.00		24.00		0% "
- where there are time-limit restrictions on a particular street					
5. COMMERCIAL BOULEVARD PARKING					
Annual Fees					
- per space or part of a space per year for each of the first two spaces	59.57		60.70		2% To be increased annually by the C.P.I. G.S.T. extra. (Council approved)
- per space or part of a space per year for each space over two and up to a total of ten spaces	29.79		30.36		2% To be increased annually by the C.P.I. G.S.T. extra. (Council approved)
Processing Fees - \$10 goes towards Rec. - Insurance Premium below (one-time)	178.73		182.12		2% To be increased annually by the C.P.I. G.S.T. extra. (Council approved)

SCHEDULE 1 - TRAFFIC

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
TRAFFIC DEPARTMENT					
1994 FEES FOR APPROVAL (continued) :					
5. COMMERCIAL BOULEVARD PARKING					
Recovery - Insurance Premium (see below) - - encroachment insurance	10.00	10.00	0%	No fee increases.	
6. APPROACH APPROVALS					
Processing Fees	50.00	50.95	2%	To be increased to equal the costs incurred. Increased annually by the C.P.I. (G.S.T. extra) Council approved.	\$30
7. PRIVATE PARKING LOTS					
Processing Fees - inspection and administration costs associated with the signing and enforcement of private parking lots	47.43	48.33	2%	To be increased annually by the C.P.I. (G.S.T. extra) (Council approved).	\$80
8. PROSECUTIONS					
Parking - Traffic Court	5.00	5.00	0%	No fee increases.	
- Appeals Court	40.00	40.00	0%	" "	
9. STATUS INQUIRIES					
	40.00	40.00	0%	" "	
					\$770
1994 FEES FOR APPROVAL :					
10. RESIDENTIAL BOULEVARD PARKING					
Annual Rental Fee	-	0.00	100%	Original recommendation to establish new fee and to be increased annually by the C.P.I. DEFEATED	\$0

SCHEDULE 1 - TREASURY

SCHEDULE OF USER FEES AND OTHER REVENUES

DESCRIPTION OF SERVICE, LICENCE OR PUBLICATION	USER FEE OR CHARGE		% INCREASE OVER 1993	EXPLANATION AND/OR COMMENTS	Increase Due to Fee Inc.
	1993	1994			
(1)	(2)	(3)	(4)	(5)	(6)
TREASURY DEPARTMENT					
1994 FEES FOR APPROVAL :					
1. SUNDRY REVENUE					
Subdivision Compliance Letter	23.00	24.00	4%	Council 11/27/90. " that these fees be increased annually for the rate of inflation rounded to the next dollar, to offset	\$2,280
Local Improvement Enquiries	23.00	24.00	4%	the City's administrative and processing costs in handling these items". (Rounding)	
N.S.F. Cheques	16.00	17.00	6%		\$1,350
2. TAXATION					
Tax Certificates	20.00	21.00	5%	" " " " " Rounding.	\$8,160
Recoveries - Tax Registrations	585.00	615.00	5%	" " " Increase partially necessary due to Provincial fee increase.	\$6,000
Prior Year's Tax Analysis	26.00	27.00	4%	Council 10/29/91. "Be increased annually for the rate of inflation rounded to the next dollar".	\$40
Multiple Assessment Listing	10.00	11.00	10%	Rate of inflation is anticipated to be approximately 2% for 1994, and when fees are rounded to next dollar	
Income Tax Letter	10.00	11.00	10%	may exceed the rate of inflation.	\$440
Paid-In - Full Letter	10.00	11.00	10%	" " " " "	
Hydro Add-On to Tax Roll - administration fee	10.00	11.00	10%	" " " " "	\$370
3. PURCHASING DIVISION					
Tender and Proposal Processing Fee	25.00	27.00	8%	Increased by rate of inflation plus now includes G. S. T.	\$840
- non - refundable charge for issuance of tenders/proposals over \$50,000					\$840

2.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 November 12

REPORT TO: Joe Schatz, Secretary
Committee of the Whole

FROM: Allan C. Ross
Treasurer

SUBJECT: Interest earned on Work-in-progress Account

RECOMMENDATION:

That Item 1(c) of the EIGHTH Report of the Committee of the Whole adopted by Council on 1993 July 27 be revised to read as follows:

That the current policy of crediting interest earned on work-in-progress accounts to the Reserve for Capital Projects be amended by diverting interest income to the City's general fund as of August 1, 1993 for all Work-in-progress accounts excluding all Local Boards and municipal enterprises, such as, Hamilton Entertainment and Convention Facilities Inc., Hamilton Public Library, Hamilton Parking Authority, etc.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As above.

BACKGROUND:

The previous resolution indicated that no interest be credited on H.E.C.F.I. and Library Work-in-progress accounts as of August 1, 1993 and the interest be diverted to the City's general fund which is now revised to provide interest income on their Work-in-progress accounts.

c.c. G. Macaluso, Managing Director/C.E.O., H.E.C.F.I.
J. McAnanama, Chief Executive Officer, Library
P. G. Baker, General Manager, Hamilton Parking Authority

URBAN/MUNICIPAL

CA4 ON HBL A05
A31
1993



**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1993 December 14
7:30 o'clock p.m.
Council Chambers, City Hall**

URBAN M.
DEC 14 1993
GOVERNMENT DOCUMENTS

**J. J. Schatz
City Clerk**

AGENDA

1. National Anthem

2. Opening Prayer

*Reverend Myles Lohnes
Trinity Baptist Church*

3. Presentations

(a) *Certificate of Recognition - Boris Brott*

(b) *Certificate of Recognition - Don Muir*

4. Minutes

(a) *1993 November 30*

(b) *1993 December 7 (Special)*

*The Urban/Municipal Collection
2nd Floor
Hamilton Public Library*

5. *Petitions and Correspondence*
6. *Reports of the Standing Committees*
 - (a) *Transport and Environment Committee*
 - (b) *Parks and Recreation Committee*
 - (c) *Planning and Development Committee*
 - (h) *Finance and Administration Committee*
 - (i) *Nominating Committee*
 - (j) *Committee of the Whole*
7. *Notices of Motion for Next Meeting*
8. *First Reading of the Bills*
9. *Second Reading of the Bills - Committee of the Whole*
10. *Third Reading of the Bills*
11. *Question Period*
12. *Adjournment.*

MINUTES

1993 November 30

Minutes of Hamilton City Council
1993 November 30
7:30 o'clock p.m.
Council Chamber

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,
Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The Council meeting commenced with the playing of the National Anthem.

* * * * *

Captain Doug Binner, Salvation Army led Council in prayer.

* * * * *

The following presentations were made:

Regional Business Plan Contest - Sponsored by The Regional Municipality of Hamilton-Wentworth in co-operation with the local Boards of Education. The following winners from the city of Hamilton were presented with a Certificate of Recognition and a cheque:

Miss Maxie Bai, W. H. Ballard Public School, Mr. Aaron Colbourne, Norwood Park Public School, Mr. Mark Cliffe, Norwood Park Public School, Miss Judy Lin, R.A. Riddell Public School, Miss Fiona Tozer, St. Columbia Roman Catholic Separate School, Miss Erika Cerskus, St. Joseph's School.

* * * * *

Mayor Morrow presented a Certificate of Appreciation to the Ukrainian Women's Association of Canada - Irene Sushko, President and Halia Lypka, Corresponding Secretary.

* * * * *

Mayor R. M. Morrow proclaimed White Ribbon Week - November 27 to December 3, 1993.

* * * * *

Mayor R. M. Morrow presented a Certificate of Appreciation to Mr. Jack McFarlane of the United Council of Veterans on the occasion of their 60th Anniversary.

* * * * *

The minutes of the meeting held 1993 November 9 were adopted as circulated.

* * * * *

<p>CORRESPONDENCE</p>

1. Letter dated 1993 November 23 from Harris Raue, 21 Lynwood Drive, Stoney Creek, Ontario regarding non-resident user fees at Hamilton Public Libraries.

Referred to the Hamilton Public Library Board.

2. Application dated 1993 November 12 from Luval Enterprises Limited, Hamilton, Ontario for changes in zoning from "R-4" (Small Lot Single-Family Detached) District to "RT-20" (Townhouse-Maisonette) District for Block "1", from "R-4" (Small Lot Single-Family Detached) District to "C" (Urban Protected Residential, etc.) District for Block "2" and from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for Block "3", for lands located south of Mud Street and west of Upper Mount Albion Road, Hamilton, Ontario.

Received.

3. Application dated 1993 November 23 from Buckingham York Ltd., Hamilton, Ontario for a modification to the established "E-3" (High Density Multiple Dwellings) District regulations, for properties located at Nos. 150 and 152 Catharine Street South, Hamilton, Ontario.

Received.

4. Letter of objection received 1993 November 30 from Dawn Adams respecting a Zoning Application 93-33 for property at 303 York Blvd referred to in Item 1 of the Eighteenth Report of the Planning and Development Committee Report.

Received.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the the Parks and Recreation Committee, the Planning and Development Committee, the Special Committee to Administer the Hamilton-Scourge Project, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be now considered in Committee of the Whole with Alderman Anderson in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - EIGHTEENTH REPORT

PARKS AND RECREATION COMMITTEE - NINETEENTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - EIGHTEENTH REPORT

Section 1 Re: Zoning Application 93-33 - N. Janjic and G. Kugler, 303 York Blvd.

It was moved by Alderman Eisenberger and seconded by Alderman Agostino that section 1 of the Eighteenth Report of the Planning and Development Committee be amended by deleting the word "denied" in the last line of the first paragraph and inserting in lieu thereof the words "approved on a one year temporary zoning basis" and further that subsections (a) through (e) and the last paragraph (note) be deleted. **CARRIED.**

Recorded vote on the amendment

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, Copps, Wilson, Jackson, Anderson. -5. **CARRIED.**

* * * * *

Section 1 Re: Zoning Application 93-33: N Janjic & G Kugler, 303 York Blvd as amended

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, Copps, Wilson, Jackson, Anderson. -5. **CARRIED.**

* * * * *

Section 20 Re: Proposed plan of condominium - 293 Limeridge Rd. W. - draft approval

It was moved by Alderman Drury and seconded by Alderman Eisenberger that the Eighteenth Report of the Planning and Development Committee be amended by adding the following as Section 20:

- "20. (a) That the proposed plan of condominium prepared by J. D. Barnes Limited on behalf of M. and A. Singh, owners, dated 1993 June 9, showing 15 residential units at No. 293 Limeridge Road West, be draft approved;
- (b) That the Mayor and the City Clerk be authorized to grant draft approval by signing the draft plan; and,
- (c) That the Mayor and the City Clerk be authorized to sign the final plan once the owner has fulfilled the requirements under the Rental Housing Protection Act."
- CARRIED.**

**SPECIAL COMMITTEE TO ADMINISTER THE
HAMILTON-SCOURGE PROJECT - FIRST REPORT**

FINANCE & ADMINISTRATION COMMITTEE - TWENTY SECOND REPORT

Section 13 Re: Grant - Hamilton Hurricanes Football Club Inc.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Wilson, Agostino, Jackson, Anderson, D'Amico, Ross. -11.

NAYS: Aldermen Copps, Eisenberger. -2.

CARRIED.

* * * * *

Section 18 Re: The Irving Zucker Sculpture Court - Commonwealth Square

It was moved by Mayor Morrow and seconded by Alderman Ross that Section 18 of the Twenty-Second Report of the Finance and Administration Committee be deleted and replaced with the following:

18. That the portion of Commonwealth Square which will include the Zucker sculpture donation be named "The Irving Zucker Sculpture Court on Commonwealth Square". The whole area currently known as Commonwealth Square will continue to bear this name.
- CARRIED.**

* * * * *

Section 22 Re: Amalgamation of the Law Dept, Legal Services, Clerk's Dept. and Treasury and Finance Dept.

It was moved by Alderman Agostino and seconded by Alderman Charters

- (a) That Sub-Section (a) (i) of Section 22 of the Twenty Second Report for 1993 of the Finance and Administration Committee be amended to add the words "City Chief Administrative Officer and a neutral person agreed by both C.A.O.'s" after the word "the" in the first line; and,
- (b) That Sub-Section (a) (ii) be amended to add the words "City Chief Administrative Officer and a neutral person agreed to by both C.A.O.'s" after the word "the" in the first line; and
- (c) That Sub-Section (a) (ii) be amended to delete the word "he" in the second line and substitute in lieu thereof the word "they".

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico. - 11

NAYS: Aldermen Cooke, Agro, McCulloch, Drury, Wilson, Ross. -6.

CARRIED.

Section 29 Re: Re-appointment of J. Pavelka as CAO and Re-appointment of D. Lobo as Director of Public Works

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as Section 29 of the Twenty-Second Report for 1993 of the Finance and Administration Committee:

29. (a) That Mr. J. Pavelka, Director of Public Works, be re-appointed Chief Administrative Officer for the period 1994 January 1 through 1995 June 30 within the salary range "A" and that the City Solicitor be authorized and directed to amend the necessary by-laws and that Mr. J. Pavelka be re-appointed as Director of Public Works, effective 1995 July 1; and,
- (b) That Mr. D. Lobo, Manager of Streets and Sanitation, be re-appointed as Director of Public Works for the period 1994 January 1 through 1995 June 30 within the salary range "B" and that effective 1995 July 1 be re-appointed as Manager of Streets and Sanitation. **CARRIED.**

NOMINATING COMMITTEE - FIFTH REPORT

COMMITTEE OF THE WHOLE - ELEVENTH REPORT

ACTING MAYOR FOR THE MONTH OF DECEMBER

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman T. Anderson be appointed Acting Mayor for the month of December, 1993. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Special Committee to Administer the Hamilton-Scourge Project, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

C-82, C-83, C-84, C-85, C-86, C-87, C-88, C-89.

H-62, H-63, H-64, H-65.

I-05, I-06, I-07.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Anderson in the chair. (second reading).

C-82, C-83, C-84, C-85, C-86, C-87, C-88, C-89.
H-62, H-63, H-64, H-65.
I-05, I-06, I-07.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

C-82, C-83, C-84, C-85, C-86, C-87, C-88, C-89.
H-62, H-63, H-64, H-65.
I-05, I-06, I-07.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

C-82, C-83, C-84, C-85, C-86, C-87, C-88, C-89.

H-62, H-63, H-64, H-65.

I-05, I-06, I-07.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:40 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1993 November 30

1993 December 7

Special Meeting of City Council
1993 December 7
4:20 o'clock p.m.
Room 233, City Hall

The Council met.

Present: Mayor R. M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps,
Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson,
D'Amico, Ross.

The purpose of this special meeting of City Council was to deal with a Report from the Committee of the Whole respecting the appointment of an Interim Director of the Culture and Recreation Department.

* * * * *

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Drury that Council move into Committee of the Whole to consider the Twelfth Report of the City Council Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - TWELFTH REPORT

Appointment of an Interim Director of Culture and Recreation

It was moved by Alderman Cooke and seconded by Alderman Drury that the Report of the City Council Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

ADOPTION OF BILLS

It was moved by Alderman Cooke and seconded by Alderman Drury that Bill I-08 be now read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Drury that Council move into Committee of the Whole to consider Bill I-08 with Mayor Morrow in the Chair. (second reading)

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of Bill I-08 (second reading)

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on Bill I-08, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Drury that Bill I-08 be now read a third time, signed, sealed and enrolled as a by-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

1993 December 7

* * * * *

City Council then adjourned at 4:30 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow, Chairman
Committee of the Whole

J. J. Schatz
City Clerk
1993 December 7

CORRESPONDENCE

Correspondence:

1. Application dated 1993 December 6 from Ashok Kumar, 81 Christie St., Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, for lands located at the front of No. 1094 Upper Sherman Avenue, Hamilton, Ontario.

Recommendation: **Be Received.**

2. Application dated 1993 December 6 from 779597 Ontario Ltd., c/o Paul Silvestri, Hamilton, Ontario for changes in zoning from "AA" (Agricultural) District (Block "1") and "A" (Conservation, Open Space, Park and Recreation) District (Block "2") to "M-13" (Prestige Industrial) District, for lands located in the area west of the proposed extension of Anchor Road and north of Rymal Road East, Hamilton, Ontario.

Recommendation: **Be Received.**

3. Application dated 1993 December 8 from 800064 Ontario Inc., c/o A. DiSilvestro, Hamilton, Ontario for a change in zoning from "C" - "H" (Urban Protected Residential, etc. - Holding) District to "R-4" (Small Lot Single-Family Detached) District for lands located west of Garth Street between Gisele Drive and Rymal Road West, Hamilton, Ontario.

Recommendation: **Be Received.**

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SIXTEENTH** Report for 1993 and respectfully recommends:

1.
 - (a) That the existing "Permit Parking" regulation on the west side of East 18th Street between Concession Street and Mountville Avenue be shortened such that the regulation commences at a point 81 feet south of Concession Street and extends to Mountville Avenue; and
 - (b) That a "No Stopping" regulation be implemented on the west side of East 18th Street commencing at Concession Street and extending to a point 41 feet southerly therefrom; and
 - (c) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of East 18th Street commencing at a point 41 feet south of Concession Street and extending to a point 40 feet southerly therefrom; and
 - (d) That the maximum number of parking permits to be issued by the Director of Traffic Services to residents who abut the "Permit Parking" regulation be reduced from 16 to 13; and
 - (e) That the City Traffic By-law 89-72 be amended accordingly.
2.
 - (a) That southbound traffic on Fairington Crescent be required to stop for eastbound and westbound traffic on Delawana Drive; and
 - (b) That southbound traffic on Ellingwood Avenue be required to stop for eastbound and westbound traffic on Kentley Drive; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
3.
 - (a) That the existing "Permit Parking" regulation on the south side of Holmes Avenue which commences at a point 115 feet west of Emerson Street and extends to a point 29 feet westerly therefrom be relocated such that the regulation commences at a point 156 feet west of Emerson Street and extends to a point 24 feet westerly therefrom; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.

4. (a) That eastbound traffic on Dubarry Boulevard be required to stop for northbound and southbound traffic on Lorraine Drive; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
5. (a) That a "No Stopping" regulation be implemented on the south side of Macassa Avenue commencing at Upper Sherman Avenue and extending to a point 106 feet easterly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
6. (a) That parking be prohibited on the south side of Royal Avenue between Bowman Street and Wilmont Court; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
7. (a) That a "No Parking" regulation be implemented on the north side of McElroy Road West between West 2nd Street and West 3rd Street; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
8. (a) That a "No Stopping" corner clearance be implemented on the west side of East 24th Street commencing at Fennell Avenue East and extending to a point 79 feet southerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
9. (a) That the existing "Permit Parking" regulation on the north side of Picton Street West commencing at a point 204 feet west of MacNab Street North and extending to a point 23 feet westerly therefrom be removed; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
10. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of Acadia Drive commencing at a point 225 feet south of the south curb line of Butler Drive and extending to a point 116 feet southerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.

11. (a) That a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on both sides of Keith Street from Douglas Street to Cheever Street in conjunction with the existing "Alternate Side Parking" regulation; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
12. (a) That a "No Stopping" corner clearance be implemented on the west side of Bay Street South commencing at Aberdeen Avenue and extending to a point 82 feet southerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
13. (a) That the existing "Permit Parking" regulation on the south side of Wood Street East which commences at a point 133 feet east of Ferguson Avenue North and extends to a point 48 feet easterly therefrom be shortened such that the regulation commences at a point 133 feet east of Ferguson Avenue North and extends to a point 24 feet easterly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
14. (a) That a "Permit Parking" regulation be implemented on the south side of Cambridge Avenue commencing at a point 144 feet west of Robins Avenue and extending to a point 23 feet westerly therefrom; and
(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. George Lyon, No. 32 Cambridge Avenue; and
(c) That the City Traffic By-law 89-72 be amended accordingly.
15. (a) That the existing "No Stopping" corner clearance on the west side of Glendale Avenue North which commences at Primrose Avenue and extends to a point 45 feet southerly therefrom be removed; and
(b) That the existing "No Stopping" corner clearance on the east side of Glendale Avenue North which commences at Primrose Avenue and extends to a point 63 feet southerly therefrom be removed; and
(c) That the City Traffic By-law 89-72 be amended accordingly.
16. (a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 10:00 p.m., seven days a week" regulation be implemented on the north side of Morgan Road commencing at a point 28 feet west of Caroga Court and extending to a point 30 feet westerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.

17. (a) That the centre lane of Mall Road be designated as a two-way left turn lane from 100 m to 265 m south of Mohawk Road; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
18. (a) That in accordance with the request by the Hamilton Street Railway Company the following new bus stops be approved:

Route 32 and Route 27A

Add - Southbound - Garth Street, west side, 43 feet north of the centre line of Gisele Drive (N/S); and

Add - Northbound - Garth Street, east side, 3 feet south of the projected south curb line of Gisele Drive (M/B); and

- (b) That the City Traffic By-law 89-72 be amended accordingly.
19. That a purchase order be issued to Canadian Corps of Commissionaires (Hamilton), for parking enforcement services for 1994, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

<u>POSITION</u>	<u>BILLING RATE</u>
Sergeant	\$11.70
Corporal	\$11.20
Commissionaire	\$10.77

20. (a) That the Parkview East Neighbourhood be designated as a Neighbourhood Watch Area; and
- (b) That Neighbourhood Watch signs for the Parkview East Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
- (c) That the necessary funds be charged to Account No. CH55301 75030 (Neighbourhood Watch Program).

21. (a) i. That an Option to Purchase Agreement by the City, duly executed by the owners, Lucy and Santo Boffa, on 1993 November 17, and scheduled for closing within thirty (30) days of completion of all conditions set out in this agreement but in any event, no later than 1995 January 15, for the lands and premises situated in the Regional Municipality of Hamilton-Wentworth, in the City of Hamilton, being composed of part of Lot 1, Concession 1, having a frontage of 12.0 metres (39.37 feet) more or less, along the southerly limit of Rymal Road West, by a depth of 12.0 metres (39.37 feet) more or less, being triangular in shape and comprising a total area of 69.999 square metres (753.487 square feet) more or less, more particularly described as Part 6, on Reference Plan 62R-12388, known municipally as address 647 Rymal Road West, be approved and completed and the purchase price of \$5,275. be charged to Account No. CH5X303 00102 (Reserve for Property Purchases).
- ii. That as consideration in the amount of \$2. has been paid to the owner pursuant to this agreement, this amount be deducted from the purchase price.
- iii. That it is understood and agreed that as a condition of this agreement, the City of Hamilton will reconstruct the driveway access currently opening onto Rymal Road West to a driveway location opening to be determined by the City onto the future extension of Upper Paradise Road, and the City further agrees to restore the previous driveway lands by removing the existing gravel, replacing with soil and sodding the disturbed area in a manner consistent with the surrounding area and to the satisfaction of the City.
- iv. That it be understood and agreed that on closing of this transaction, the City will grant a single 20 foot right-of-way in favour of the Purchaser over Part 2 on Reference Plan 62R-12388, for driveway purposes to the existing residence until such time as the land servicing costs are fully recovered by the City and the reserved lands are transferred to the Purchaser, his successors, agents or assigns.
- v. That it be understood and agreed that the City agrees to pay Lucy and Santo Boffa's reasonable legal fees, provided the account for legal services, the hourly rates and hours incurred are satisfactory to the City Solicitor.

- vi. That upon closing, the Senior Director of Roads be authorized and directed at his discretion to incorporate said Part 6, Plan 62R-12388 into the City road allowance.
 - vii. That it be understood and agreed that attached to this Option to Purchase Agreement as Schedule "C" is an Authority to Enter, duly executed by Lucy and Santo Boffa, on 1993 November 17, authorizing the City, its servants and agents to enter upon the lands for the purposes of relocating, reconstructing and restoring the driveway access as called for in this agreement.
 - viii. That the Mayor and City Clerk be authorized and directed to execute the necessary agreements.
- (b)
- i. That an Option to Purchase Agreement by the City, duly executed by the owner, Thomas Sullivan, on 1993 October 27, and scheduled for closing within thirty (30) days of completion of all conditions set out in this agreement but in any event no later than 1995 January 15, for the lands and premises situated in the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 1, Concession 1, having a frontage of 22.86 metres (75.0 feet) more or less, along the southerly limit of Rymal Road West, by a depth of 12.414 metres (40.728 feet) more or less, being irregular in shape and comprising a total area of 140.026 square metres (1,507.277 square feet) more or less, more particularly described as Parts 4 and 5 on Reference Plan 62R-12388, known municipally as 639 Rymal Road West, be approved and completed and the purchase price of \$4. be charged to Account No. CH5X323 00102 (Reserve for Property Purchases).
 - ii. That it be understood and agreed that the City agrees to pay Thomas Sullivan's reasonable legal fees, provided the account for legal services, the hourly rate and hours incurred are satisfactory to the City Solicitor.
 - iii. That this Option be conditional upon and subject to the City of Hamilton accepting and successfully completing an Offer to Purchase executed by Thomas Sullivan for the sale of lands described as Part 3 on Reference Plan 62R-12388, save and except the westerly 0.3 metre of said Part 3, Plan 62R-12388, by the City, on or before the date agreed upon herein for closing. The said Offer to Purchase and the Option herein are to be accepted by the Council for the City of Hamilton concurrently and the closing of both transactions are to be contemporaneous with each other.

- iv. That upon closing, the Senior Director of Roads be authorized and directed at his discretion to incorporate said Part 4 on Plan 62R-12388 into the City road allowance.
 - v. That the Mayor and Clerk be authorized and directed to execute the necessary documents.
- (c)
- i. That an Offer to Purchase, duly executed by Thomas Sullivan, on 1993 October 27, and scheduled for closing within thirty (30) days of completion of all conditions of this agreement, but in any event no later than 1995 January 15, for the purchase of the lands and premises situated in the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot 1, Concession 1, more particularly described as having a length of 68.834 metres (225.83 feet) more or less, by a depth of 4.167 metres (13.671 feet) more or less, being irregular in shape and comprising a total area of 295.55 square metres (3,181.3 square feet) more or less, being vacant land more particularly described as Part 3, on Reference Plan 62R-12388, be approved and completed and the purchase price of \$4. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
 - ii. That it be understood and agreed that the exact area of the subject parcel of land to be transferred will be determined through a survey prepared by the City.
 - iii. That upon acceptance by City Council of the Offer and Option mentioned above, the Regional Surveyor be requested and directed to prepare a survey plan establishing a one foot reserve along the westerly 0.3 metre of said Part 3, Plan 62R-12388, and register said plan in the Registry Office as required.
 - iv. That the City agrees that Part 3, on Plan 62R-12388, shall be graded and sodded to the satisfaction of the City at its expense contemporaneously and as part of the road construction in conjunction thereto. It is further agreed that upon completion of such grading and sodding, said Part 3 shall be turned over to the Purchaser in a neat and tidy condition.
 - v. That it be understood and agreed that on closing of this transaction the City will grant a single 20 foot right-of-way in favour of the Purchaser over the westerly 0.3 metre of said Part 3, for driveway purposes to the existing residence until such time as the land servicing costs are fully recovered by the City and the reserved lands are transferred to the Purchaser, his successors, executors, agents or assigns.

- vi. That it be understood and agreed that as a condition of this agreement, the City of Hamilton will reconstruct the driveway access currently opening onto Rymal Road West to a driveway location opening, to be determined by the City onto the future extension of Upper Paradise Road, and the City further agrees to restore the previous driveway lands by removing the existing gravel, replacing with soil and sodding the disturbed area in a manner consistent with the surrounding area and to the satisfaction of the City. The City herein acknowledges the presence of an underground electrical conduit existing on the westerly side of the existing driveway and agree to reconstruct the existing stone pillars to the new driveway entrance and reconnect the electrical conduit to the entrance pillar lights.
- vii. That the City agrees to pay Thomas Sullivan's reasonable legal fees, providing the account for legal services, the hourly rate and hours incurred are satisfactory to the City Solicitor.
- viii. That this Offer be conditional upon and subject to the City of Hamilton accepting and successfully completing an Option to Purchase executed by Thomas Sullivan, for the purchase of a portion of the property located at 639 Rymal Road West, designated as Parts 4 and 5 on Reference Plan 62R-12388, by the City on or before the date agreed upon herein for closing. The said Option to Purchase and the Offer herein are to be accepted by the Council for the City of Hamilton concurrently and the closing of both transactions are to be contemporaneous with each other.
- ix. That it be understood and agreed that the City agrees to remove the septic tank system, if any, located on the said land upon the request of the purchaser, his successors, executors, agents or assigns; which request shall necessarily be made within two (2) years of the closing of the transaction. The Vendor further agrees to generally do such things as may reasonably be required to restore the property to its original condition.
- x. That it be understood and agreed that attached to this Offer to Purchase Agreement as Schedule "C" is an Authority to Enter, duly executed by Thomas Sullivan, on 1993 October 27, authorizing the City, its servants or agents to enter upon the lands for the purposes of relocating, reconstructing and restoring the driveway access as set out within this agreement.
- xi. That the Mayor and Clerk be authorized and directed to execute the necessary agreements.

- (d) That, upon completion of the Option to Purchase with Mr. Sullivan noted above, the Director of Property be authorized and directed to negotiate an Offer to Purchase Agreement at fair market value and in a form satisfactory to the City Solicitor with the Regional Municipality of Hamilton-Wentworth to sell said Part 5, Plan 62R-12388 to the Region for road widening purposes.
- 22.
- (a) That an Offer to Purchase (Highway Closure), executed by Daniel Paul Cooper and Sherrill Dawn Marie Cooper, on 1993 November 23, and scheduled for closing within thirty (30) days after the conditions in the Offer have been fulfilled to the satisfaction of the City, for the purchase of part of Limeridge Road in the City of Hamilton, shown as Part 3 on Plan 62R-11488, containing 70.5 square metres (758.8 square feet) more or less, and a one foot strip of land shown as Part 4 on Plan 62R-11488, containing 10.9 square metres (117.3 square feet) more or less, be approved and completed and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases/Sales).
 - (b) That the Regional Surveyor be directed to establish Part 2 on Plan 62R-11488 as a one foot reserve to prevent vehicular access onto Limeridge Road East.
 - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents to finalize this transaction.
- 23.
- (a) That the City accept title to the land required for the future extension of Embassy Drive and Artistic Boulevard, from P. Barnett Construction Limited. This land described as Part 1 on Plan 62R-11152 is being dedicated to the City by its owner to allow abutting development to take place in advance of the owner's and is required for the completion of the Lisgar Neighbourhood Plan and the cost to register this transfer of \$50. be charged to Account No. CH5X303 00102 (Reserve for Property Purchases).
 - (b) That the Regional Surveyor be requested to establish a one foot reserve along said lands for the recovery of the cost of servicing and to register such plan in the Registry Office as required.
 - (c) That the Director of Roads be authorized and directed at his discretion to incorporate said Part 1, Plan 62R-11152 into the City road allowance.
 - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

24. (a) That an Offer to Purchase (Easement) Agreement, executed by Regional Officials, on 1993 October 21, and scheduled to close on or before 1994 January 28, for the purchase by the Region of a Sanitary Sewer and Watermain Easement over the lands being composed of part of Lot 9 and part of a Lane, Registered Plan 440, designated as Part 26 on Plan 62R-6159, having a frontage along the westerly limit of Beach Boulevard of 6.09 metres (20.0 feet) more or less, by a depth of 55.598 metres (182.0 feet) more or less, (commonly known as Fletcher Avenue), be approved and completed, and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Sale of Land - Property Purchases).
- (b) That an Authority to Enter Agreement, executed by Regional Officials on 1993 October 21, authorizing the Region to enter City lands for the construction of a Sanitary Sewer and Watermain over Part 26 on Plan 62R-6159, effective the day following City Council approval, be approved.
- (c) That an Offer to Purchase (Easement) Agreement, executed by Regional Officials, on 1993 October 21, and scheduled to close on or before 1994 January 28, for the purchase by the Region of a Sanitary Sewer and Watermain Easement over the lands being composed of all of the 20 foot "Road", Registered Plan 452, lying north of, adjacent to and abutting Block "E" of the said Registered Plan (commonly known as Fletcher Avenue), having a frontage along the easterly limit of Beach Boulevard of 6.09 metres (20.0 feet) more or less, by a depth of 58.21 metres (191.0 feet) more or less, be approved and completed, and the funds derived from this sale of \$1., be credited to Account No. CH4X501 00102 (Sale of Land - Property Purchases).
- (d) That an Authority to Enter Agreement, executed by Regional Officials on 1993 October 21, authorizing the Region to enter City lands for the construction of a Sanitary Sewer and Watermain over all of the 20 foot "Road", Registered Plan 452, lying north of, adjacent to and abutting Block "E" of the said Registered Plan (commonly known as Fletcher Avenue), effective the day following City Council approval, be approved.
- (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
25. That the City accept title to the land required for the future extension of Eaglewood Drive and one foot reserves, if any, from Robert Shelley Construction Limited. This land described as Parts 1 - 7 inclusive and Parts 10 and 11 on Plan 62R-9927 is being dedicated to the City by its owner, in accordance with a draft plan of subdivision, and the developer's solicitor is to prepare the necessary deed and certify title to the City.

26. (a) That the City of Hamilton enter into a Tenancy Agreement with S. Shakeshaft to rent the premises known as 2656 King Street East, subject to the terms and conditions of the standard residential Tenancy Agreement.
- (b) That commencing 1993 December 1 the monthly rent will be \$575. (including realty taxes of \$2,429.94 for 1993) and rental proceeds be credited to Account No. CH44104 31106 (City Properties Rental).
- (c) That the Mayor and City Clerk be authorized and directed to execute the standard residential Tenancy Agreement.
27. (a) That the following City lands be incorporated into the streets in order to complete the final street width or to provide access and hook-up to newly registered subdivision developments:
- | | | |
|---------------------|----------------|----------------|
| Claudette Gate | Part 3 Plan | 62R-12354 |
| Leland Street | Parts 3 & 4 | Plan 62R-11315 |
| Upper Paradise Road | Part 7 & 8 | Plan 62R-12388 |
| Duncairn Crescent | Parts 2, 4 & 6 | Plan 62R-12372 |
| Lynnette Drive | Block 17 | Plan 62M-734 |
- (b) That the by-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
28. That the applications to retain inadvertent encroachments at the locations as outlined in Appendix "A", attached hereto, be approved during the pleasure of City Council provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement.
- (c) That the first year fees and subsequent annual fees as outlined in Appendix "A" be set for the encroachments.

29. That a purchase order be issued to Sifto Canada, Mississauga, for the supply and delivery of Sodium Chloride Coarse Crushed as and when required by the Public Works Department, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed through Stock Materials Account No. CH56197 60999, as follows:

<u>Delivered Price</u>	<u>Picked Up Price</u>
\$34.55 per tonne	\$32.75 per tonne, plus applicable taxes

30. That a purchase order be issued to Lakeview Sand and Gravel, Paris, to supply and deliver Treated Screened Sand during the 1993-1994 winter sanding season as and when required by the Public Works Department, being the lowest of five tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Stock Materials Account No. CH56197-60999, as follows:

<u>Delivered Price</u>	<u>Picked Up Price</u>
\$14.41 per tonne	\$10.72 per tonne, plus applicable taxes

31. (a) That the appropriate by-law for the closure, retention and sale of a portion of Limeridge Road, designated as Parts 2 and 3, on Plan 62R-11488, be forwarded to City Council for enactment.
- (b) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
32. (a) That the appropriate by-law for the closure, retention and sale of a portion of a public walkway, designated as all of Block 43, Plan 62M-575, be forwarded to City Council for enactment.
- (b) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

33. (a) That portions of the first alley, south of Barton Street (between Brunswick & Osborne), shown as Parts 1, 2, 4, 5, and 6, on Plan 62R-11618, be sold to three different parties for \$1. each.
- i. Part 1, on Plan 62R-11618 to be sold to G. & C.A. Oikawa,
 - ii. Part 5, on Plan 62R-11618 to be sold to A.C. Geeling,
 - iii. Parts 2, 4 and 6, on Plan 62R-11618 to be sold to M.M. Alderson & S.D.A. Williston.
- (b) That the by-law to carry out the sale of the said lands be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
34. (a) That the Commissioner of Transportation/Environmental Services be directed to prepare a by-law to stop up, close and sell the assumed north/south alley east of No. 1 Young Street;
- (b) That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act;
- (c) That the applicant prepare and register a reference plan under the Registry Act, to delineate the manner in which the proposed closed alley is to be disposed of;
- (d) That the applicant provide an easement to Bell Canada for the existing aerial cable in the proposed closure area;
- (e) That the City Clerk be directed to publish a notice of City Council's intention to pass the by-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1980;
- (f) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owners.
35. That the reconstruction of roadway, curbs and sidewalks on Ofield Road between Main and Ramsey (east leg), Lower Horning Road between Ofield and Harold and Kelly and Elgin Streets in Beasley Park in the total amount of \$490,000. be incorporated as a part of the 1992 Road Reconstruction Programme.

36. (a) That the 1994 charges per metre of frontage for Local Improvement construction be increased to the rate of inflation to a maximum of 3%.

		Maximum Charge per Metre of Frontage	
<u>Item</u>		<u>Existing 1993</u>	<u>Proposed 1994</u> (Maximum)
i.	Curb Only	\$ 53.	\$ 54.59
ii.	Sidewalks Only	89.	91.67
iii.	Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	121.	124.63
iv.	Roadway Only	222.	228.66
v.	Alleys	95.	97.85
vi.	Roadway and Curbs Only (Industrial Subdivisions)	290.	298.70

- (b) That the City Solicitor be authorized and directed to amend the Local Improvement by-law.
37. (a) That the City assume the east-west public alley on the east side of Dundurn Street between Main Street and King Street, adjacent to the north side of Lots 5, 6, and 7 as shown on Registered Plan No. 166, upon the satisfactory completion of construction of this concrete alley by the owner/lessee of lands at 460 Main Street West to City of Hamilton standards, and the Commissioner of Transportation/ Environmental Services be authorized to prepare and introduce the necessary by-law to establish this alley as a public highway.
- (b) That the required reference plan, engineering plans, and construction of this concrete alley to City standards, be the sole responsibility of the owner/lessee of lands at No. 460 Main Street West.
- (c) That Taco Bell Canada be advised of this action.

1993 December 14

38. (a) That two additional Parking Control Officers be hired from within the existing City staff complement as of 1994 January 3; and
- (b) That the contract with the Canadian Corps of Commissionaires be revised to provide for the supply of four additional commissionaires for parking enforcement as of 1994 January 3; and
- (c) That all associated cost increases for salaries, benefits and operating supplies and contracted services for the two additional Parking Control Officers and the four additional commissionaires be authorized as part of the 1994 Traffic Department Budget allocation.
39. (a) That the first two parking meters on the north side of Hunter Street East, east of James Street South, be removed and replaced with a "Permit Parking" regulation; and
- (b) That the Director of Traffic Services be authorized to issue two parking permits to the Regional Social Services Department, 1 Hunter Street East, to exempt persons attending the "work-able" facility from the "Permit Parking" regulation at this location; and
- (c) That the Regional Health and Social Services Committee be requested to provide sufficient funds in their 1994 budget to allow for the construction of a wheelchair ramp to provide access to the off-street parking facility for this property.
40. That leave be granted to introduce the following Bills:
- | | | |
|-----|------------------|--|
| (a) | Bill A-88 | By-law to Stop-up, Close, Retain and Authorize the Sale of Parts of Limeridge Road as established by By-law No. 76-264 |
| (b) | Bill A-89 | By-law to Stop-up, Close, Retain and Authorize the Sale of Parts of a Public Walkway Designated as all of Block 43, Plan 62M-575 |
| (c) | Bill A-90 | By-law - the Sale of Portions of an Alley Closed by Judge's Order No. 159226 (93) Parts 1, 2, 4, 5 and 6, on Plan 62R-11618 |

1993 December 14

- (d) **Bill A-91** By-law to Incorporate Part of Block 144, Plan 62M-679 Designated as Part 3, Plan 62R-12354 into Claudette Gate
- (e) **Bill A-92** By-law to Incorporate Parts 3 and 4, Plan 62R-11315 into Leland Street
- (f) **Bill A-93** By-law to Incorporate Part 7, Plan 62R-12388 into Upper Paradise Road
- (g) **Bill A-94** By-law to Incorporate Part 8, Plan 62R-12388 into Upper Paradise Road
- (h) **Bill A-95** By-law to Incorporate Parts 2, 4 and 6, Plan 62R-12372 into Duncairn Crescent
- (i) **Bill A-96** By-law to Incorporate Block 17, Plan 62M-734 into Lynnette Drive
- (j) **Bill A-97** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (k) **Bill A-98** By-law to amend Traffic By-law 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson
Secretary

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

1993 December 6th

Appendix "A" as referred to in
Section 28 of the SIXTEENTH Report
of the Transport and Environment
Committee for 1993

<u>Location</u>	<u>Type of Encroachment</u>	<u>First Year/Annual</u>	<u>File Number</u>
476 Ferguson Avenue North	Portion of Building measuring 1.67' x 45.22' and a wood deck measuring 1.64' x 7.00' on Macauley Street. Portion of building measuring 1.4' x 23.28' and stoop and stairs measuring 4.65' x 6.10' on Ferguson Ave.	\$112/20.00	T103 50 (1043)
455 Charlton Avenue West	Bay Window measuring 0.8' x 3.5'	\$112/20.00	T103 50 (989)
39 Division Street	Portion of Building on Vansitmart Street measuring 0.49' x 23.3'	\$112/20.00	T103 50 (1013)
211 Victoria Avenue North	Building and Porch on Robert Street measuring 0.24' x 24.81'	\$112/20.00	T103 50 (991)
1122 Cannon Street East	Wood Steps measuring 1.38' x 3.5'	\$112/20.00	T103 50 (973)
4 Robins Street	Eaves measuring on Sunnidale Ave. measuring 0.33' x 47.38'	\$112/20.00	T103 50 (984)
31 Dalkeith Street	Porch measuring 0.76' x 17.78' Steps measuring 3.00' x 3.33'	\$112/20.00	T103 50 (1010)
208 Catharine Street North	Eaves, Gutter, Footing & Step measuring 0.90' x 12.0'	\$230/20.00	T103 50 (1073)
271 Robert Street	Porch and Steps measuring 3.0' x 5.0'	\$132/20.00	T103 50 (942)
41-45 Cathcart Street	Landscaping measuring 3.48., x 17.38' and a Concrete Ramp measuring 1.80' x 3.48'	\$112/20.00	T103 50 (994)
44 Fairview Avenue	Portion of Building measuring 0.15' x 20.52'	\$112/20.00	T103 50 (934)
#337 - 339 Hughson Street North	Cornice and Step measuring 0.5' x 3.00'	\$112./20.00	T103 50 941)
242 Rosslyn Ave.	Steps measuring 1.84' x 3.4'	\$112/20.00	T103 50 (946)
299 John Street North	Steps measuring 1.7' X 4.0'	\$112/20.00	T103 50 (1068)

1993 December 14

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWENTIETH** Report for 1993 and respectfully recommends:

1.
 - (a) That the Ontario Sport Legends Hall of Fame and Museum proposed Constitution and By-Laws, dated 1993 November, attached hereto as Appendix "A" be approved; and
 - (b) That the proposed Selection Criteria: Ontario Sport Legends Hall of Fame and Museum, dated 1993 November, attached hereto as Appendix "B" be approved; and
 - (c) That the proposed first Ontario Sport Legends Hall of Fame and Museum Board of Directors attached hereto as Appendix "C" be approved; and
 - (d) That approval be given to the Ontario Sport Legends Hall of Fame and Museum to proceed with their incorporation.
 - (e) That the City continue to provide the Board of Directors with meeting facilities and staff resources.
 - (f) That "seed money" in the amount of \$3000. (three thousand dollars) be made available to the Board from the Department of Culture and Recreation Department - Innovative Programming Account.
2.
 - (a) That this year's Winterfest be held from 1994 February 11th to February 13th, within a format which provides for all ages and interests.
 - (b) That Chedoke Winter Sports Park be the headquarters to host large scale events such as Horse and Wagon Rides, Dog Weight Pull, Bonfire, and Mountain Bike Race for this year's event in addition to the various satellite locations across the city.

1993 December 14

3. (a) That the Director of Culture and Recreation and the Manager of Purchasing, with the support of the City Solicitor, be authorized to invite Expressions of Interest for the operation of the West Mountain Arenas and Community Centre for a maximum 3 year period.
- (b) That the interest call include detailed level of service requirements to include, but not be limited to:
 - the ice maintenance
 - building maintenance
 - administrative support
 - food and beverage concessions
 - sport shop
 - grounds care
 - parking lot operation
- (c) That the operational proposal provide a cost benefit analysis and budget description which supports the level of service implications over a three year period.
4. (a) That the City quit claim its interest in a strip of land measuring 9 feet by 115 feet to the owners of the adjacent residential property known as No. 204 Canada Street as the said strip has been possessed by the adjacent owners and their predecessors since prior to 1955.
- (b) That the adjacent owners (of No. 204 Canada Street) be required to deposit a reference plan satisfactory to the Commissioner of Transportation/Environmental Services for purposes of the said Quit Claim.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 December 7th

Proposed

Constitution and By-laws

The Ontario Sport Legends Hall of Fame and Museum

Article 1 - Name

- (a) The name of this corporation shall be the Ontario Sport Legends Hall of Fame and Museum, hereinafter referred to as The Hall of Fame.
- (b) The Hall of Fame shall be located in the City of Hamilton, Province of Ontario.

Article 2 - Objectives

The objectives of the Hall of Fame shall be:

- (a) To honour and perpetuate the names of those persons whose contributions to sport have brought recognition and distinction to themselves and the Province of Ontario.
- (b) To carry out the business of the Corporation without purpose of gain for its members and to use any profit or accretion to the Corporation for the purpose of promoting its objectives.
- (c) To develop and supervise an appropriate venue for The Hall of Fame.
- (d) To collect and display sport artifacts.

Article 3 - Membership

3.1 Honoured Member

The Hall of Fame membership shall be composed of those individuals who have been elected to and inducted in the Hall of Fame.

3.2 Classes of Member

(a) Patrons

There shall be Patrons as the Board of Directors (hereinafter referred to as the Board) deems desirable in the interests of the Corporation and who accept the invitation to act as such.

(b) Honorary Life Members

- i. There shall be such Honorary Life Members as the Board of Directors may deem desirable in the interests of the Corporation and who accept the invitation to act as such.

- ii. Honorary Life Members of the Corporation shall be such persons as the Board desires to honour for services to the Corporation or in respect of the purposes thereof and who agreed to accept and, upon the recommendation of the Board of Directors, are granted Honorary Life Membership in the Corporation by the Active Members.
- iii. Honorary Life Members shall be entitled to attend all annual and special General Meetings of the Members of the Corporation and vote thereat and may hold office.
- iv. The Board of Directors may appoint a Board of Advisors from the Honorary Life Members and others to assist the Board in the operation of The Hall of Fame.

(c) Active Members

- i. The Active Members of the Corporation shall consist of:
 - The applicants for incorporation of the Corporation; and
 - Such other persons, associations, partnership or corporations that may upon the invitation of the Board, agree to accept and are granted Active Membership. Each such person that is an association, partnership, corporation or not a natural person is entitled to one representative who shall, as long as he/she remains the representative of such Member, "ex officio" be an Active Member of the Corporation.
- ii. Membership as an Active Member shall be for a term of not more than four years, provided that such membership may be renewed. Active Members shall be entitled to attend all General Meetings of the Corporation and to participate therein and vote thereat and may hold office.

Article 4 - General

4.1 Head Office

The Head Office of the Corporation shall be in the City of Hamilton, Province of Ontario.

4.2 Fiscal Year

The period for the fiscal year of the Corporation shall be determined from time to time by resolution of the Directors.

Article 5 - Meetings

5.1 Annual and Special General Meetings

- (a) The Annual General Meeting of the Corporation shall be held at such time and place in Ontario as may be decided upon by the Board. Any Annual General Meeting may constitute a Special General Meeting to consider, deal with and dispose of any business to be considered, dealt with and disposed of at any Special General Meeting.
- (b) Special General Meetings of the Corporation may be held at such time and places as may be decided upon by the Board. They shall be called upon resolution passed by a two-thirds majority vote of the Board or by the President or upon the request in writing of not less than ten of the Active Members of the Corporation. The notice calling the meeting shall specify the purposes for which it is called and no business other than that mentioned in the notice calling the meeting shall be transacted thereat unless all Members entitled to vote at the meeting are present and consent to the transaction of such other business.

5.2 Agenda of Meetings

- (a) The business transacted at any Annual General Meeting of the Corporation shall include:
 - i. The adoption of the Minutes of the last Annual General Meeting or of a subsequent Special General Meeting;
 - ii. the report of the President and of the Board of Directors;
 - iii. The ratification of By-laws and Amendments;
 - iv. The election of Honorary Life Members; and
 - v. The election of Directors.
- (b) The Corporation shall at each Annual General Meeting appoint an auditor or auditors to audit the accounts of the Corporation, to hold office until the next Annual Meeting and until the appointment of his/her or their successor or successors unless he/she or they shall resign or his/hers or their offices become vacant by death.

5.3 Notice of Meetings

Not less than twenty (20) days' notice shall be given of any Annual or ten (10) days' notice of any Special General Meeting of the Corporation. Such notice shall be in writing and forwarded by prepaid post or telegraph to each member at

his/her last address shown in the records of the Corporation and the non-receipt of such notice by a Member shall not invalidate the proceedings of such Meeting.

5.4 Quorum

Nine (9) persons personally present and representing, in their own right or by proxy, not less than twenty (20) per cent in number of the Members entitled to vote at a General Meeting of the Corporation shall constitute a quorum for the transaction of business thereat.

5.5 Voting

Any question proposed for the consideration of the Members at a General Meeting of the Members shall, except as otherwise required by law, be determined by a majority of votes cast in person by Members entitled to vote at such meeting, each Honorary Life Member and Active Member or representatives thereof being entitled to one vote in respect thereof, and the Chairman presiding at such meeting shall have the casting vote in the case of an equality of votes.

5.6 Chairman

The President of the Corporation, or such other person as may from time to time be appointed for the purposes by the Board of Directors, shall preside at meetings of Members.

5.7 Procedure at Meetings

The Chairman of any meeting of Members shall conduct the procedure thereat in all respects and his/her decision on these matters shall be conclusive and binding upon the Members. The Chairman at any such meeting shall have the power at any time during the proceedings to adjourn the meeting from time to time and no notice of any such adjourned meeting need be given. In the event of any such adjournment, any business which would have been considered, dealt with and disposed of at the original meeting may be considered, dealt with and disposed of at any such adjourned meeting.

Article 6 - Board of Directors

6.1 Directors

- (a) The affairs of the Corporation shall be managed by a Board of Directors, consisting of a minimum of 15 persons and a maximum of 28 persons, each of whom shall be elected from among the Honorary Life Members and Active Members of the Corporation.
- (b) Each Director shall be elected for a term of not more than one year, may be reelected, shall not hold office until the election of his/her successor unless he/she should resign or his/her office should become vacant.
- (c) Any vacancy occurring in the Board of Directors may be filled by the Board from among the Honorary Life Members and Active Members of the Corporation for the remainder of the vacated term.
- (d) The office of a Director shall automatically be vacated:
 - i. if he/she becomes bankrupt or suspends payment to his/her creditors or makes an assignment for the benefit of his/her creditors or is declared insolvent; or
 - ii. if he/she is found to be lunatic or becomes of unsound mind; or
 - iii. if he/she ceases to be an Honorary Life Member or Active Member; or
 - iv. if he/she dies; or
 - v. if he/she is removed at any meeting of the Members called for the purpose, and another duly qualified person shall not have been elected in his/her stead at such meeting.

- (e) Members of the Board may be reimbursed such travelling and other expenses incurred by them in connection with the business of the Corporation, as the Board shall from time to time authorize.
- (f) Every Director or Officer of the Corporation, his/her heirs, executors and administrators, and estate and effects, respectively, may, with the consent of the corporation, given at any meetings of the Members, from time to time and at all times, be indemnified and saved harmless out of the funds of the corporation, from and against:
 - i. all costs, charges and expenses whatsoever that he/she sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him/her, for or in respect of any act, deed, matter or thing whatsoever, made, done or permitted by him/her, in or about the execution of the duties of his/her office; and;
 - ii. all other costs, charges and expenses that he/she sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by his/her own wilful neglect or default.

6.2 Notice of Meeting of the Board

- (a) The Board shall meet at the call or by order of the Chairman of the Board or of the President, or, in their absences, of the Vice-President or of any two Directors. Meetings of the Board shall be called at least twice in each fiscal year and one such meeting shall be called forthwith after the close of the Annual General Meeting of the Members.
- (b) At least three clear days' notice shall be given of Meetings of the Board of Directors.
- (c) No notice of the time and place of any meeting of the Board need be given to any Director who attends such meeting or who in writing or by telegram or by cable, either before or after the holding thereof, waives such notice.

6.3 Quorum

Fifty percent (50%) plus one members of the Board of Directors shall form a quorum at any meeting of the Board.

6.4 Powers of the Board

The Board of Directors manages and administers the affairs of the Corporation through by-laws or resolutions to attain its objectives and generally may exercise all such powers and authority and so all such acts and things as the Corporation is authorized to exercise and do and which are not by the by-laws or by statute directed or required to be exercised or done only by the Corporation in a general meeting of its Members.

6.5 Removal of Directors

Any Director may be removed (either with or without cause) at any meeting of the Members called for the purpose by a vote of a majority of the Members present or represented. At the same meeting, a duly qualified person may be elected in his/her stead. The person so elected shall hold office during such time only as the Director in whose place he/she was elected would have held the same if he/she had not been removed.

6.6 Borrowing and Banking

- (a) The Directors may from time to time:
 - i. Borrow money upon the credit of the corporation;
 - ii. Limit or increase the amount to be borrowed;
 - iii. Issue debentures or other securities of the Corporation;
 - iv. Pledge and sell such debentures or other securities for such sums and at such price as may be deemed expedient;
 - v. Secure any such debentures or other securities or any other present or future borrowing or liability of the Corporation by mortgages, hypothecate, charge or pledge of all or any currently owned or subsequently acquired, real and personal, moveable and immoveable property of the Corporation and the undertaking rights of the Corporation;
 - vi. Guarantee the payment of indebtedness or fulfilment of other obligations of any other person;
- (b) and the Directors, may by a resolution, delegate any or all such powers to such Officers or Directors of the Corporation to the extent in the manner set out in such resolution.
- (c) The Board may from time to time authorize any Director, Officer or Officers or employees of the Corporation on behalf of the Corporation to draw, accept, endorse, execute or certify any cheques, promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments or other agreements and the same and all renewals thereof or substitutions therefor so signed shall be binding upon the Corporation.
- (d) The present by-law shall be regarded as additional to and not replaced by any borrowing by-laws which may be enacted by the Corporation for banking purposes unless otherwise specifically stipulated in such by-law.

6.7 Additional By-laws and Amendments

The Board shall have power to make additional by-laws from time to time, or to repeal, amend, or re-enact any by-laws; and subject as hereinafter provided, every such by-laws and every such repeal, amendment or re-enactment shall, unless meanwhile confirmed at a Special General Meeting of the Members duly called for that purpose, have force only until the next Annual General Meeting of the Members and in default of the confirmation of such Annual General Meeting shall at and from that time only, cease to have force.

6.8 Voting

Each Director is entitled to one vote only. Voting is carried out by a show of hands unless a ballot is requested by at least three Directors. Any motion is carried by a simple majority and in the vent of equality of votes, the Chairman of the meeting shall have a casting vote.

6.9 Resignation of Directors

A Director may resign from his/her office upon giving notice in writing to the Corporation of his/her intention to so, and unless a later date is stipulated in such notice the resignation shall take effect thirty (30) days after date of such notice or upon its earlier acceptance.

Article 7 - Officers

7.1 Officers

- (a) The Executive Officers of the Corporation are the Chairman of the Board, the President and, if elected or appointed, one or more Vice-Presidents and such other Officers as the Board of Directors may from time to time deem necessary and appoint as Executive Officers.
- (b) The President, and if elected and appointed the other Executive Officers of the Corporation shall exercise such powers and authority and shall perform such duties, respectively, in addition to those specified in this by-law and as shall from time to time be prescribed by the Board of Directors.
- (c) The same person may hold any two (2) or more of the said offices. None of the Executive Officers of the Corporation except the Chairman of the Board, if appointed, and the President need be Directors or Members of the Corporation.
- (d) the Directors may also from time to time appoint other agents, officers and servants of the Corporation who may be given such titles and who shall exercise such powers and authority and perform such duties of management, or otherwise, (including the power of sub-delegation) as the Directors may from time to time determine.
- (e) In case of the absence of any Officers of the Corporation or for any other reason that the Directors may deem sufficient, the Directors may delegate from time to time being the power and authority of such Officer to any other Officer or to any Director of the Corporation.

7.2 Chairman of the Board

- (a) Chairman shall mean Chairman, Chairwoman or Chairperson at his or her discretion.
- (b) The Chairman of the Board shall if appointed, preside at all meetings of the Board of Directors and shall exercise such other powers and authority and perform such other duties as the Directors may from time to time prescribe.

7.3 President

The President shall be the Chief Officer of the Corporation having the control and supervision of its affairs. He/she shall preside at all meetings of the Members and direct their proceedings unless otherwise determined by the Board of Directors, and in the event of the absence, inability or failure of the Chairman of the Board to act, the President shall preside at all meetings of the Board of Directors. The President shall be "ex officio" a member of all standing committees. The President shall exercise such other powers and authority and perform such other duties as may from time to time be prescribed by the Directors of the Corporation.

7.4 Vice-President

The Vice-President, or if more than one, the Vice-Presidents shall, if elected or appointed, exercise such powers and authority and perform such duties as may from time to time be prescribed by the Directors or by the President.

7.5 General Manager

The General Manager, if appointed, shall, subject to the control of the President, manage the operations of the Corporation generally, and he/she shall exercise such other duties as may from time to time be prescribed by the Directors or by the President.

7.6 Comptroller

The Comptroller, if appointed, shall be subject to the control of the President, be the chief accounting Officer of the Corporation and he/she shall exercise such other powers and authority and perform such other duties as may from time be prescribed by the Directors or the President.

7.7 Secretary

(a) The Secretary, if appointed, shall attend to the giving and service of all notices of the Corporation and shall keep the minutes of all meetings of the Directors, the Executive Committee and the Members in a book or books to be kept for that purpose, he/she shall keep in safe custody the corporate seal of the Corporation. He/she shall have charge of the records of the Corporation including books containing the names and addresses of the Members and of the Directors, together with copies of all reports made by the Corporation and such other books and papers as the Directors may direct. He/she shall be responsible for the keeping and filing of all books, reports, certificates and all other documents required by law to be kept and filed by the Corporation. He/she shall exercise such other duties as may from time to time be prescribed by the Directors or by the President.

(b) Assistant Secretaires may perform any of the duties of the Secretary.

7.8 Treasurer

(a) The Treasurer, if appointed, shall have the general charge of the finance of the Corporation. He/she shall deposit all moneys and other valuable effects of the Corporation in the name and to the credit of the Corporation in such banks or other depositories as the Directors may from time to time designate, and shall render to the President and to the Directors, whenever so directed, an account of the financial condition of the Corporation and of all his transactions as Treasurer; and as soon as possible after the close of each fiscal year he/she shall have charge and custody of and be responsible for the keeping of the books of account. He/she shall be subject to the control of the President and shall exercise such other powers and authority and perform such other duties as may from time to time be prescribed by the Directors or by the President.

(b) Assistant-Treasurers may perform any of the duties of the Treasurer.

(c) Whenever the Secretary is also the Treasurer, he/she may be designated "Secretary-Treasurer"; whenever the Assistant-Secretary is also the Assistant-Treasurer, he/she may be designated "Assistant Secretary-Treasurer".

7.9 Removal and Discharge

The Directors by an affirmative vote of the majority of the Board, may remove any Executive Officer, with or without cause, at any time, unless the resolution or contract providing for his/her appointment stipulated otherwise. An agent, officer or servant who is not an Executive Officer of the Corporation may be discharged by the President, with or without cause, at any time, unless the contract providing for his/her employment or appointment stipulates otherwise.

7.10 Remuneration

The remuneration of all Executive Officers and other Officers appointed by the Directors shall be fixed from time to time by a resolution of the Directors who may also, by resolution, delegate to the President of the Corporation any of the powers granted by this paragraph. The remuneration of all other agents, officers and servants of the Corporation shall be fixed from time to time by the President.

Article 8 - Executive Committee

8.1 Executive Committee

- (a) There shall be an Executive Committee of the Board of Directors consisting of the President of the Corporation, when elected as Director of the Corporation and four (4) other Directors appointed by the Board with the duties and responsibilities as herein provided.
- (b) The Executive Committee shall have the power to appoint a Chairman of the Executive Committee.
- (c) With due regard to any limitation which may be imposed by the Board of Directors, the Executive Committee shall between meetings of the Board of Directors, possess and exercise all the power, rights and authority of the Board of Directors in the management of the affairs of the Corporation, except those which may be law be exercised exclusively by the Board of Directors.
- (d) The Executive Committee is entitled and empowered to execute its decisions.
- (e) The Executive Committee shall hold at least one (1) meeting in each fiscal year of the Corporation.

8.2 Notice

Notice of any meeting of the Executive Committee must be given at least 24 hours before the meeting; such notice may be given orally.

8.3 Quorum

A quorum at any meeting of the Executive Committee shall consist of not less than three (3) Members.

8.4 Secretary

The Secretary of the Corporation shall act as Secretary of the Executive Committee unless some other Secretary be appointed by the Executive Committee.

8.5 Proceedings to the Board

All proceedings and decisions of the Executive Committee shall be open to the examination of the Board of Directors of the Corporation and shall be reported to the Board of Directors as and when the Board of Directors so directs.

8.6 Meetings

- (a) The meetings of the Executive Committee may be held at the Head Office of the Corporation or at any such other place within Ontario as the Executive Committee may from time to time determine.
- (b) Meetings of the Executive Committee may be called by or by the order of the President, by or by the order of the Chairman or by the order of the Vice-President of the Executive Committee or, by or by the order of any two Members of the Executive Committee.

8.7 Remuneration

The Members of the Executive Committee shall be entitled to receive remuneration for their services as Members of the Executive Committee as the Directors may from time to time determine.

8.8 Removal and Filling of Vacancies

The Directors may from time to time remove any member of the Executive Committee from office. The Directors may also from time to time fill any vacancy which may occur in the membership for the Executive Committee.

8.9 Interpretation

In these by-law and in all other by-laws of the Corporation hereafter passed, unless the context otherwise requires, words importing the singular number or importing gender shall be deemed to include the plural number, or the masculine or feminine gender as the case may be, and references to persons shall include firms and corporations.

ENACTED this day of 1993.

President

Secretary

Appendix "B" as referred to in
Section 1 of the TWENTIETH Report
of the Parks and Recreation
Committee for 1993

SELECTION CRITERIA

ONTARIO SPORT LEGENDS HALL OF FAME

ELIGIBILITY

To be eligible for election to the Ontario Sport Legends Hall of Fame, a person need not be a full time resident of the Province of, nor born in the Province of Ontario.

Individuals must have distinguished themselves in their chosen sport (s), whether amateur or professional, singularly as an Ontarian, or as a member of an Ontario based team or other such group.

CATEGORIES

There shall be two categories for election: Athlete and Builder.

Athletes are those who have performed at a level of excellence, 'on the field', in their chosen sport (s).

Builders are those who have contributed to sport as, game officials, administrators, executives, members of the media, or others deemed worthy of recognition by the Board of Directors.

SELECTION COMMITTEE

The annual selection committee shall comprise the Board of Directors, active members, Life Members and members of the media who have a minimum of 10 years sports experience within the Province of Ontario.

A Chairperson is to be appointed annually by the Board of Directors.

Appendix "C" as referred to in
Section 1 of the TWENTIETH Report
of the Parks and Recreation
Committee for 1993

The following individuals comprise the proposed first board of directors of the Ontario Sports Legends Hall of Fame and Museum:

Mr. Bruce Prentice
Mr. Jack Pelech
Alderman Bernie Morelli
Mr. Larry Russell
Mr. Glynn Leyshon
Ms. Fran Eberhard
Ms. Mary Keyes
Mr. Norm Marshall
Mr. Cuppy Katz
Mr. Angelo Mosca
Mr. Ross Hamilton
Mr. Colin Millar
Mr. Bob McDade
Ms. Terese Quigley
Mr. Frank Cosentino
Mr. Otto Jelenik
Mr. Irv Ungerman
Mr. Bruce Walker

1993 December 14

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its NINETEENTH Report for 1993 and respectfully recommends:

1. That Zoning Application 93-31, Investland Corporation Limited, prospective owner, for a an amendment to the Official Plan to establish a new Special Policy Area to permit "retail warehouses" within the Industrial designation and to prohibit access from the subject lands onto South Service Road, and for a modification to the existing "JJ" (Restricted Light Industrial) District regulations (Block "1"), and "KK" (Restrict Heavy Industrial) District regulations (Block "2"), to permit retail warehouse(s), on lands known as 8 Burford Road, as shown on the attached map marked as Appendix "A", be **denied** for the following reasons:
 - (a) it would result in the loss industrially zoned and designated lands which is undesirable; and,
 - (b) it is considered premature in the absence of a traffic impact analysis.
2. A. That approval be given to Official Plan Amendment No. 122 to redesignate lands municipally known as 30 Wentworth Street North from "COMMERCIAL" and "RESIDENTIAL" to "MAJOR INSTITUTIONAL" and delete Special Policy Area 15, and the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- B. That approval be given to Zoning Application 93-28, Hamilton-Wentworth Catholic Separate School Board, prospective owner, for a change in zoning from "J" (Light and Limited Heavy Industry, etc.) District, modified to "DE-3" (Multiple Dwellings) District, modified to permit a secondary school with ancillary day nursery, for the property located at 30 Wentworth Street North, as shown on the attached map marked as Appendix "B", on the following basis:

- (a) That the subject lands be rezoned from "J" (Light and Limited Heavy Industry, etc.) District modified to "DE-3" (Multiple Dwellings) District;
 - (b) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-Law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - i. That notwithstanding Section 10C(3)(i)(b) of Zoning By-Law No. 6593, a minimum front yard depth of 6.0 m (20'-0") shall be provided and maintained, except a minimum front yard depth of 4.26 m (14'-0") shall be provided and maintained for the Chapel;
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1324, and that the subject lands on Zoning District Map E-22 be notated S-1324;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-22 for presentation to City Council;
 - (e) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 122 by the Regional Municipality of Hamilton-Wentworth;
 - (f) That the Gibson Neighbourhood Plan be amended by redesignating the subject lands from "INDUSTRIAL", "MEDIUM DENSITY APARTMENTS", and "COMMERCIAL AND APARTMENTS" to "CIVIC AND INSTITUTIONAL".
- C. That final Site Plan Approval be withheld until notification is received from the Ministry of Environment that the decommissioning process has been satisfactorily completed.

3.
 - (a) That the Gourley Neighbourhood Plan be amended to delete the Walkway designation.
 - (b) That the Region be requested to amend a condition known as "Clause A Block 108" in the Orchard Park Estates Draft Plan of subdivision to delete the proposed walkway.
 - (c) That the closure and disposal of the walkway between 61 and 62 Harbottle Court be referred to the Transport and Environment Committee for implementation.
4. That approval be given to Zoning Application 93-38, P.X. Dermody Funeral Homes, lessee, requesting removal of the 'H' (Holding) symbol provision under Section 36 of the Planning Act, to permit a funeral home within the existing building, and that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law No. 93-096, and Zoning District Map E-38 for presentation to City Council, for lands located at No. 796 Upper Gage Avenue, as shown on the attached map marked Appendix "C". The 'H' (Holding) provision was placed on the lands until such time as the applicant/owner applied for and received approval of a Site Plan.
5. A. That the Minister of Environment and Energy and GO Transit be advised:
 - (a) That GO Transit's October, 1993 report on the proposed Victoria Avenue layover yard should be considered to be inadequate in addressing a number of major concerns, in particular that the transitory (moving) noise source approach used to analyze noise impacts for the proposed layover yard is considered inappropriate, and that the stationary noise criteria should be applied;
 - (b) In addition, the City is undertaking noise studies for the proposed Victoria Avenue layover yard and the Canada/Hunter Street Cut, and that they be requested to consider the findings from these studies in their review of the layover yard;

- (c) That the overall analysis for the proposed Victoria Avenue layover yard is considered inadequate, since it considers only noise impacts, and not the broad range of other concerns, which include effects on property values, air pollution, vibration, loss of Escarpment views, shadows (loss of sunlight), incompatibility with neighbourhood character, and other issues of major concern;
 - (d) That the adequacy of the process for public participation in the study is in question, since the residents of the Stinson Community were not notified of the proposed yard during the preparation of the E.A.;
 - (e) That the previous resolutions of City Council on this matter, arising from their meeting of 1993 July 27 and other comments made by citizens during the review process, should be addressed prior to a final decision being made on the layover yard.
- B. That the Minister of Environment and Energy and GO Transit be provided with a copy of the report as presented to the Planning and Development Committee.
6. (a) That the 1994 operating budget of the International Village B.I.A. attached hereto as Appendix "D" be approved in the amount of fifty-three thousand, two hundred and six dollars (\$53,206.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepared the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1994 budget as referenced in (a) above; and,
- (c) That the following Schedule of Payments for 1994 be approved.
- | | |
|------------|-----------|
| January 01 | \$26,603. |
| October 01 | \$26,603. |
- NOTE: 1993 Levy Arrears will be deducted from the two payments for 1994.
7. (a) That the 1994 operating budget of the Ottawa Street B.I.A. attached hereto as Appendix "E" be approved in the amount of forty-three thousand, eight hundred dollars (\$43,800.); and,

1993 December 14

- (b) That the City Treasurer be hereby authorized and directed to prepared the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1994 budget as referenced in (a) above; and,
- (c) That the following Schedule of Payments for 1994 be approved.

January 01	\$21,900.
June 01	\$10,950.
October 01	\$10,950.

NOTE: 1993 Levy Arrears will be deducted from the three payments for 1994.

- 8. That the Building Commissioner be authorized to issue demolition permits for:
 - (a) 114 Glennie Avenue
 - (b) 819 Upper Paradise Road
- 9. That a Commercial Loan in the amount of thirteen thousand and ten dollars (\$13,010.) be approved for 1018067 Ontario Limited. The interest rate will be 2 3/4 percent amortized over ten years.
- 10. That a Commercial Loan in the amount of thirty four thousand, four hundred and twenty-one dollars (\$34,421.) be approved for 919696 Ontario Limited. The interest rate will be 2 3/4 percent amortized over ten years.
- 11. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of six hundred and forty-six (\$646.) be approved for Salvatore Romano, 27 Glen Valley Drive. The interest rate will be 8 percent amortized over 5 years.
- 12. That a loan increase of \$2,286. be approved for Mr. D. Kwiatkowski, 201 Ottawa Street North under the Commercial Loan Program. The total loan is now \$11,741.
- 13. That leave be granted to introduce the following Bills:
 - (a) C-90 By-law to Amend By-law No. 76-19 as amended by By-law No. 86-211 respecting the International Village Business Improvement Area generally covering both sides of King Street East between Wellington Street and Mary Street

1993 December 14

- (b) C-91 By-law to Amend Zoning By-law No. 6593 respecting Public Parking Lots
- (c) C-92 By-law to Adopt Official Plan Amendment No. 122 respecting Lands Located North of King Street East and East of Wentworth Street North Municipally known as No. 30 Wentworth Street North within the Gibson Neighbourhood
- (d) C-93 By-law to Amend Zoning By-law No. 6593 respecting Land Located at Municipal No. 30 Wentworth Street North
- (e) C-94 By-law to Amend Zoning By-law No. 6593 respecting Lands Located at Municipal No. 625 Rymal Road West
- (f) C-95 By-law to Amend By-law No. 93-167 regarding Building Permit Fees.

RESPECTFULLY SUBMITTED,

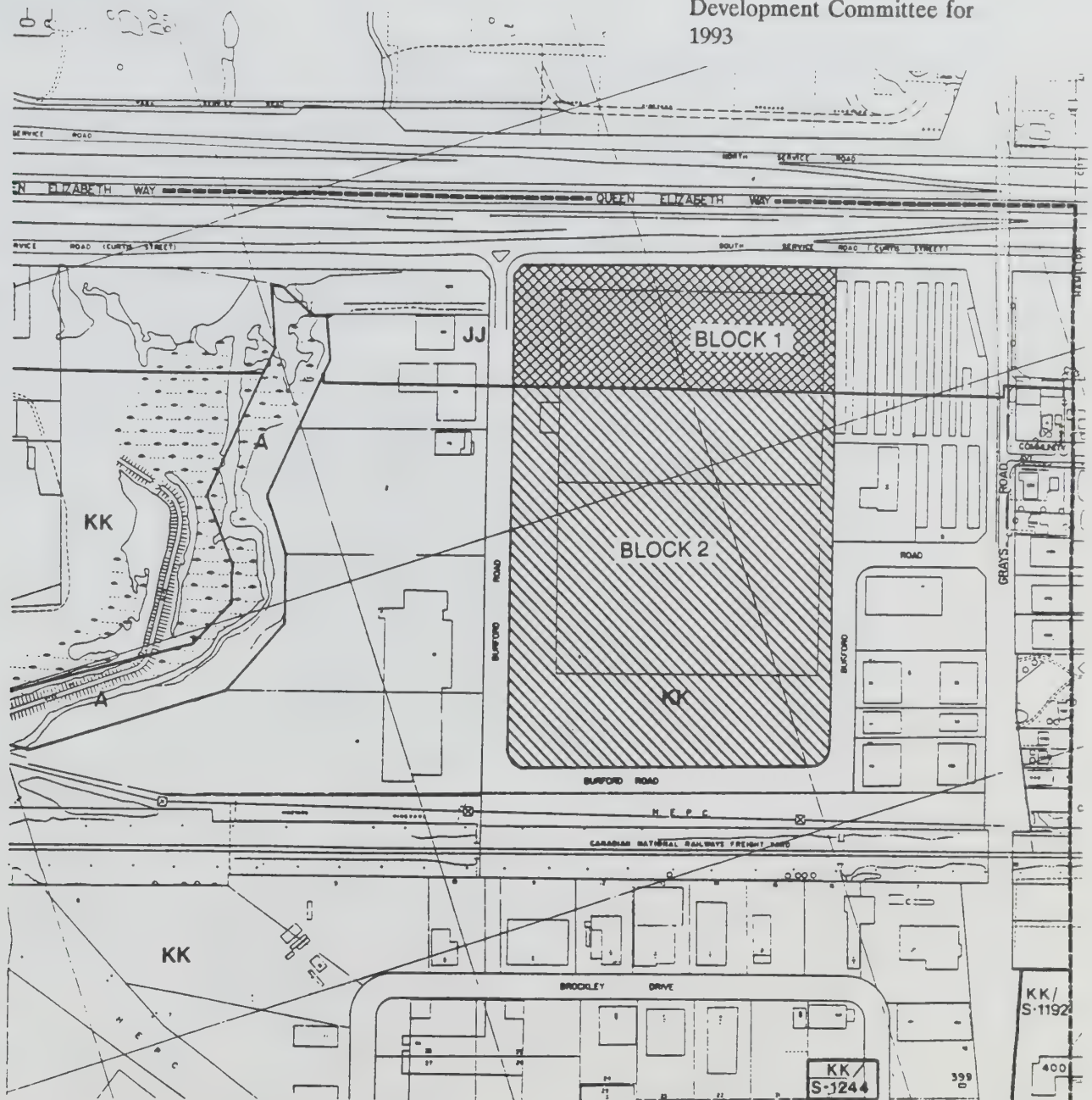
**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

Tina Agnello
Secretary

1993 December 8



1993 December 14

Appendix "A" as referred to
in Section 1 of the NINETEENTH
Report of the Planning and
Development Committee for
1993



LEGEND

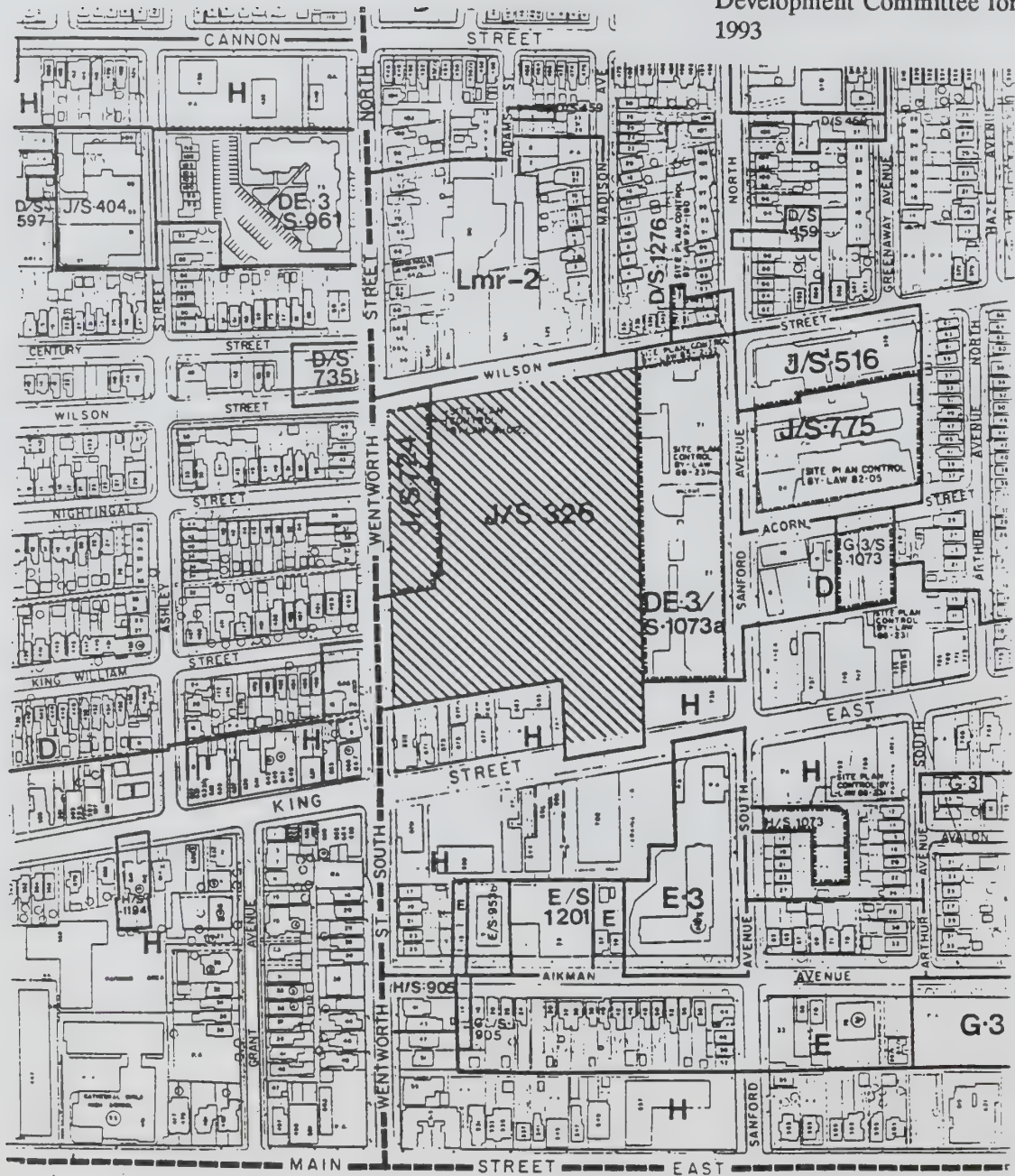
Proposed Modification to the:

- Block 1  "JJ" (Restricted Light Industrial) District regulations
- Block 2  "KK" (Restricted Heavy Industrial) District regulations


ZAR-93-31

1993 December 14

Appendix "B" as referred to
in Section 2 of the NINETEENTH
Report of the Planning and
Development Committee for
1993



Legend

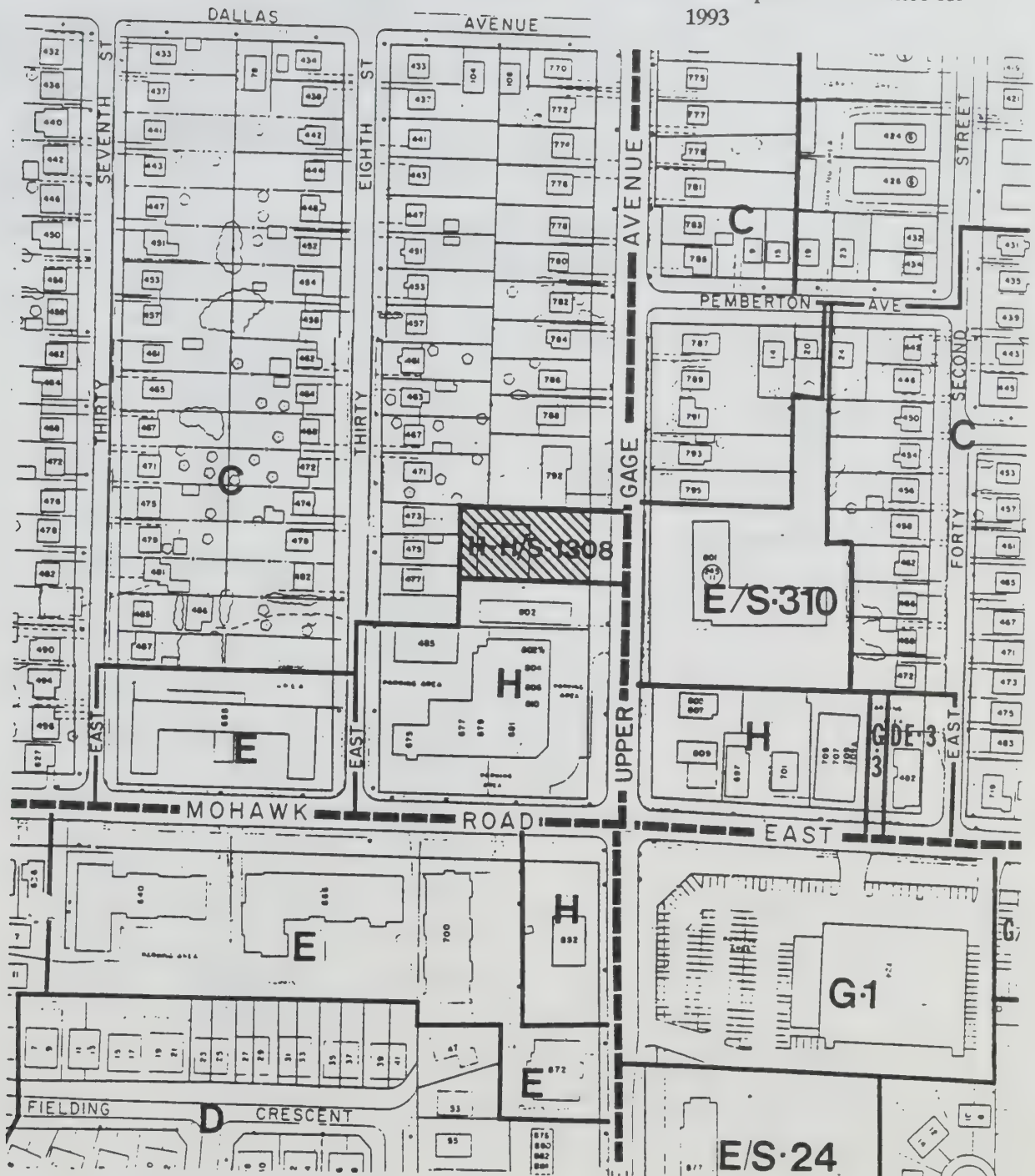


Site of the Application



ZAC-93-28

Appendix "C" as referred to in
Section 4 of the **NINETEENTH**
Report of the Planning and
Development Committee for
1993



C-9

ZAR-93-38

1993 December 14

Appendix "D" as referred to
in Section 6 of the NINETEENTH
Report of the Planning and
Development Committee for
1993

INTERNATIONAL Village

King Street East
between Wellington
and Mary

PROPOSED BUDGET January 1, 1994 to December 31, 1994

	Gross Cost	*Recoverable from Federal Grant	Net Cost
OPERATIONS			
Rent	\$ 4,200	\$ 1,350	\$ 2,850
Telephone & Hydro	1,450	900	550
Equipment & Supplies	1,928	1,200	728
Bank Charges	300	150	150
TOTAL OPERATING	\$ 7,878	\$ 3,600	\$ 4,278
WAGES			
Executive Director	\$ 20,200	\$ 7,000	\$ 13,200
Wage Costs	2,048	770	1,278
	\$ 22,248	\$ 7,770	\$ 14,478
Less Training Revenue		2,500	(2,500)
TOTAL WAGES	\$ 22,248	\$ 10,270	\$ 11,978
Insurance	\$ 665		\$ 665
Audit Fees	285		285
Advertising & Promotion	25,000		25,000
Lighting Grant	(1,000)		(1,000)
	\$ 24,950		\$ 24,950
Allowance for			
Uncollected Levies	12,000		12,000
TOTAL COST	\$ 67,076	\$ 13,870	\$ 53,206

* APPLIED FOR 6 MONTHS (25 WEEKS)
July - December 1994
2 Clients in Management Office
1 Client with Membership

1993 December 14

Appendix "E" as referred to
in Section 7 of the NINETEENTH
Report of the Planning and
Development Committee for
1993

OTTAWA STREET B.I.A. PROPOSED 1994 BUDGET

Budget Item	Total \$	%
Rent		
12 months including Hydro	1,300	3%
Utilities		
Telephone - 1 line @ 45.00, 12 months including long distance	750	1.7%
Insurance		
Total coverage includes: Liability, vandalism fire, computers, office equipment and special events and directors liability	1,600	3.6%
Office Supplies		
Paper, pens, letterhead, capital newsletters, postage and sundries	1,000	2.3%
Office Equipment		
Photocopier		
Lease	\$2,800.00	
Service Contracts	\$1,100.00	
	3,900	8.9%
Wages		
Co-ordinator's Contract	5,100	11.6%
Promotional Organizer Contract	2,100	4.8%
Advertising	10,000	22.8%
Beautification		
Street Cleaner's Contract (4 days x 6 hours x \$7.50 x 30 weeks)	6,000	13.7%
Street Cleaner supplies - bags, brooms, etc.	750	1.7%
Garbage Removal	800	1.8%
Lighting Secondary		
Lights in trees	4,000	9.1%
Other Costs include:		
Bank Charges	250	
Workers Compensation	100	
Yearly audit of books	650	
	1,000	2.3%
Contingency Fund		
12 percent	4,700	12%
Total	43,800	100.00

1993 December 14

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-THIRD** Report for 1993 and respectfully recommends:

1. That the City Treasurer be directed to close the following Parking Authority Capital Project Accounts with any excess funding to be transferred to its original source of financing:

Centre Number	Project Description	Authorized Gross Cost	Total Expenditure	Excess Financing
908545001	Construction Arena Parking Facilities	\$ 590,000.	\$ 589,734.	\$ 265.55
908745001	825 Space Parking Structure	7,200,000.	7,199,742.	257.63
908845002	Research and Development Studies	100,000.	98,436.	1,563.98
909145001	Land Acquisition - General	400,000.	400,000.	0
909145003	Upgrade Existing Parking Facilities	100,000.	99,882.	117.69

1993 December 14

2. That a purchase order be issued to RCM Contracting, Hamilton, to supply various types of maintenance services as and when required by the Real Estate Division of the Property Department during 1993 and 1994, being the lowest of seven tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Property Standards Account No. CH15411 00001, as follows:

Hourly Rate One Person	\$30.
Hourly Rate Two People	37.
Hourly Rate Three People	44.

3. That a purchase order be issued to Wajax Industries Limited, Mississauga, in the amount of \$84,827.45 for the supply and delivery of one (1) 14,500 lb. cab and chassis with 29 foot telescopic aerial lift, being the lowest acceptable of five bids received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be funded through Reserve for Mobile Equipment Account No. CH5X503 00101.
4. (a) That the City be authorized to temporarily borrow monies to meet current budget expenditures for 1994 pending receipt of current revenues; and,
- (b) That the appropriate borrowing by-law be approved.
5. (a) That the City of Hamilton host the 3rd Annual Volunteer Centre Indoor Golf Tournament to be held on Friday, 1994 February 25; and,
- (b) That the Culture and Recreation Department, Special Events Officer co-ordinate the event with the support of the City Management Team; and,
- (c) That the City of Hamilton enter a Corporate Team to participate in the event at a cost of \$150.; and,
- (d) That this \$150. be charged to Unclassified Account, Centre #24201 in 1994; and,
- (e) That approval be given to the Culture and Recreation Department to use the second floor lobby and Council Chamber for the registration of participants and the distribution of prizes on Friday, 1994 February 25, from 12:00 noon to 5:00 p.m.; and,

1993 December 14

- (f) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 6. (a) That the Chief Administrative Officer prepare Terms of Reference for a Comprehensive Audit of the Department of Culture and Recreation; and,
 - (b) (i) That a Steering Committee be formed to approve the Terms of Reference, recommend the Consultant to carry out the Audit, provide guidance and direction where needed; and,
 - (ii) That the Steering Committee be comprised of the Chairpersons and Vice Chairpersons of the Finance and Administration Committee and Parks and Recreation Committee with the assistance of the Chief Administrative Officer, City Treasurer and City Solicitor as resource staff; and,
 - (c) That the City Treasurer through the Manager of Purchasing issue the Request for Proposals based on the approved Terms of Reference, and that the estimated cost of \$60,000. be financed by an approved overdraft within the Comprehensive Audit Cost Centre and absorbed by the 1993 General Surplus.
- 7. (a) That the City of Hamilton pay the \$71,629.17 costs incurred to date in responding to the emergency at the USARCO properties on 1993 September 23; and,
 - (b) That the Chief Administrative Officer, the City Solicitor and the City Treasurer take the necessary steps to recover these funds; and,
 - (c) That the \$71,629.17 be charged to Account No. CH 24106-00001, Suspense Account.
- 8. (a) That the recommendations of the Ad Hoc Committee on Tobacco Control Policy, as adopted by Regional Council on 1993 January 19, and set out in the Schedule attached herewith and marked Appendix "A", be endorsed; and,
 - (b) That the Regional Health and Social Services Committee be requested to authorize the Medical Officer of Health to prepare a report for review and consideration by the Finance and Administration Committee, which would provide for the required actions to be taken to provide a "smoke free community by the year 2000".

- (c) For the information of the members of City Council, the Finance and Administration Committee have invited the Hamilton-Wentworth Council on Smoking and Health to make a presentation to its 1994 January meeting on the status of Tobacco Control Issues.
- 9.
- (a) That the Director of Property be authorized to proceed with the replacement of the carpeting material on the second floor/lobby staircase at a cost of \$12,073.04, which includes approximately \$4,000. of in-house staff charges; and,
 - (b) That a purchase order be issued to Vartanian Rugs Ltd., Burlington, for the supply and installation of the carpeting material at a cost of \$8,073.04; and,
 - (c) That the cost of undertaking this project be allocated to Account No. CF 318741101 - Budget Items Financed from Reserves.
- 10.
- (a) That the Regional Municipality of Hamilton-Wentworth be requested to convey Lot 2 on Dartnall Road, Hamilton Industrial Park No. 2, Plan 62M-658, to the Corporation of the City of Hamilton for the nominal sum of \$1. with the proviso that the Region's Industrial Reserve Account will be credited the amount of \$108,192. (revenue property would generate if sold at current market value) which in effect reduces the City's share of net proceeds to ultimately be derived from the sale of all lands in the said subdivision, and on the condition that the zoning is in place on the subject property to permit the use intended; and,
 - (b) That the said Lot 2 be leased to The Hamilton Firefighters' Drum Corps for a term of 25 years on a net basis on terms and conditions to be documented satisfactory to the City Solicitor; and,
 - (c) That the Hamilton Firefighters' Drum Corp Inc. be encouraged to explore the possibility of sharing its facilities with other community groups; and,
 - (d) That before the above-noted lease is finalized the Hamilton Firefighters' Drum Corp. Inc. report back to the Finance and Administration Committee on the possibility of sharing its facilities with other community groups.
11. That the decision of H.E.C.F.I. to opt out of the City's Early Retirement Plan be approved.

1993 December 14

12. That a request from H.E.C.F.I., that installation of a Sprinkler System at Hamilton Place be included for consideration as a project in the City's 1994 Capital Budget process, be approved.
13.
 - (a) That the Assessment Review Board continue to hear City of Hamilton tax appeals lodged under Section 442 (1) of the Municipal Act for 1994 at a cost of \$75,000. per annum.; and,
 - (b) That the Finance and Administration Committee recommend the method of funding this cost; and,
 - (c) That the Treasurer monitor the decisions made by the Assessment Review Board for a one year period; and,
 - (d) That the Treasurer report back to the Finance and Administration Committee in 1994 November on the amount of tax relief granted on the appeals heard by the Assessment Review Board.
14. That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of \$40,444.60 be approved and charged to CH53307-24104 Tax Remissions.
15. That as referred in Section 7 of the Seventeenth Report for 1993 of the Parks and Recreation Committee and approved by City Council on 1993 October 26, the City's contribution in the amount of \$10,000. to participate in the events of the 1994 Canadian Junior Golf Championships to be held at Chedoke Civic Golf Course 1994 August 9 - 12, be financed from the Reserve for Hosting of Conferences with Municipal Subject Content Centre # CH 00126.
16. That the revenue and expenditure balances of the Club accounts within the Culture and Recreation Department's operating accounts, which have program cycles that may not coincide with the end of a calendar year, be carried over by the Treasurer at the end of 1993 and subsequent years as necessary.
17.
 - (a) That the City Solicitor, Building Commissioner and Fire Chief prepare a request for private legislation from the Province to require that all hotels/motels; new homes; rented properties; multi-use dwellings; and health care facilities install sprinkler systems; and,
 - (b) That the Home Builders Associations, Lodging Home Associations, Hotel Associations and all other relevant agencies be consulted for input to assist in the preparation of the above-noted report.

18.
 - (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 39847/92 by the payment to the Plaintiff, Pearl Madden, of the sum of \$1,725. inclusive of all damages, interest and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) No. 39847/92 be dismissed without costs.
19.
 - (a) That the City of Hamilton agree to resolve the Plaintiffs' claims in Ontario Court (General Division) Action No. 30253/91 on the following terms:
 - (i) That all parties to the Action agree that the Plaintiffs damages are to be assessed at \$10,000. inclusive of all damages, interest, costs and disbursements; and,
 - (ii) That the City and the Co-defendant Geraldo's Catering Inc. each pay to the Plaintiffs Jo Nichol and Tom Nichol, the sum of \$5,000.; and,
 - (iii) That the Plaintiffs be required to execute a Full and Final Release of the City of Hamilton in a form satisfactory to the City Solicitor; and,
 - (iv) That as between the City and the Co-defendant Geraldo's Catering Inc, the payments to the Plaintiffs (referred to in (ii) above) shall be without prejudice to their respective rights to dispute liability as between themselves; and,
 - (v) That the Plaintiffs consent to an order dismissing the Action, as against the City of Hamilton, without costs at the appropriate time.
20. That outstanding business taxes in the amount of \$399,627.69, as presented in Private and Confidential Schedules to the Finance and Administration Committee, be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to Account CH53401 24106, Tax Write-offs.

1993 December 14

21. That leave be granted to introduce the following Bills:

- (a) Bill H-66 A By-law to Authorize the Temporary Borrowing of Monies to meet Current Expenditures pending receipt of Current Revenues.
- (b) Bill H-67 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 December 9**

Appendix "A" referred
to in Section 8 of the
TWENTY-THIRD Report of the
Finance and Administration
Committee for 1993.

DATE: 1992 December 17


REPORT TO: Chair and Members,
Health and Social Services Committee

FROM: Dr. Barbara Gowitzke, Chair
Ad Hoc Committee on Tobacco Control Policy


SUBJECT: Report and Recommendations from the Ad Hoc Committee on
Tobacco Control Policy


RECOMMENDATIONS:

- (a) That the Regional Municipality of Hamilton-Wentworth, through its Regional Department of Public Health Services, educate the general public about the hazards of tobacco use, including the very real hazards of environmental tobacco smoke (ETS) and the powerful addictive nature of nicotine.
- (b) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact legislation to eliminate sponsorships and other advertising schemes of tobacco companies.
- (c) That the Regional Municipality of Hamilton-Wentworth encourage each municipality within the Region, (i.e., the three municipalities which do not have a program already in place,) to adopt an incentive smoking cessation program for its employees.
- (d) That the Regional Municipality of Hamilton-Wentworth request the Regional Police Services Board to update the knowledge of its police services regarding all federal, provincial, and municipal laws related to purchase and possession of tobacco, so that laws controlling purchase and possession of tobacco by minors may be enforced, and that prosecution under these statutes be strongly encouraged.
- (e) That the Regional Municipality of Hamilton-Wentworth, encourage the Regional Police Services Board to assist with enforcing federal and provincial acts by providing referrals to the R.C.M.P. and O.P.P.
- (f) That the Regional Municipality of Hamilton-Wentworth encourage its police services to assist By-Law Enforcement Officers in each municipality with enforcing municipal by-laws concerned with smoking in the workplace and in public places. That, if necessary, staff time in each municipality be re-allocated to focus on By-Law enforcement.
- (g) That the Regional Municipality of Hamilton-Wentworth, through its Regional Department of Public Health Services, assist with enforcing municipal smoking and tobacco by-laws by providing referrals to By-Law Enforcement Officers in each municipality.

 (h) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact new, or strengthen existing, legislation to prevent the sale of tobacco to minors.

 (i) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to license tobacco vendors.

 (j) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact new, or strengthen existing, legislation to reduce the hazards of environmental smoke in public places.

 (k) That the Regional Municipality of Hamilton-Wentworth encourage all municipalities within the Region to enact new or strengthen existing legislation to eliminate the hazards of environmental smoke in the workplace. That, where necessary, enabling legislation be requested from the Province of Ontario.

(l) That, in support of the Mandatory Programs and Services Guidelines of the Department of Public Health Services, and in keeping with the Implementation Team Report of the Regional Chairman's Task Force on Sustainable Development, the Regional Municipality of Hamilton-Wentworth adopt a resolution of a smoke-free community by the year 2000.

(m) That the Regional Municipality of Hamilton-Wentworth appoint a member of the Health and Social Services Committee to represent the Region on the Hamilton-Wentworth Council on Smoking and Health.

(n) That the Regional Municipality of Hamilton-Wentworth direct the Tobacco Use Prevention Committee of the Department of Public Health Services to assume the responsibility of monitoring the progress of the tobacco control policy in the Region of Hamilton-Wentworth and make an annual report to the Health and Social Services Committee.

1994 December 14

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its FIFTH Report for 1993 and respectfully recommends:

1. That Alderman _____ be appointed Chairman of the Committee of the Whole for the months of January, February and March, 1994.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN, NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1993 December 14

BILLS

CITY COUNCIL

1993 DECEMBER 14

URBAN M

DEC

1993

GOVERNMENT DOCUMENTS

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO STOP-UP, CLOSE, RETAIN AND AUTHORIZE THE SALE OF
PARTS OF LIMERIDGE ROAD
AS ESTABLISHED BY BY-LAW NO. 76-264

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item of the Report of the Transport and Environment Committee on 1993 December 6, authorized the City to stop-up, close, retain and sell parts of Limeridge Road, as established by By-Law 76-264, being more particularly described as Parts 2 and 3, Plan 62R-11488;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS Notice of the City's intention to pass this By-Law has been published as required by Section 301 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the portion of highway described as;

Part of Parcel 3-2, Section Bar.7

Those parts of Lot 3, Concession 7, in the geographic township of Barton, designated as Parts 2 and 3, on Plan 62R-11488.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being Part of the Parcel

Are hereby stopped and closed.

2. That the soil and freehold of that portion of the said closed portion of Limeridge Road described as Part 3, on Plan 62R-11488, be sold to Daniel Paul Cooper and Sherrill Dawn Marie Cooper or their successors in title for the sum of \$1.00 in accordance with the provisions of the agreement dated November 3, 1993, subject to the highway closing and sale purchases in the Registry Act and the Municipal Act.
3. That the soil and freehold for the remainder of the closed portion of said closed portion being Part 2, on Plan 62R-11488, be retained by the Corporation of the City of Hamilton.

Page 2

By-law 93-

To stop-up, close, retain and authorize the sale of parts of Limeridge Road designated as Parts 2 and 3, on Plan 62R-11488

4. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this

day of

A.D. 1993

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

**TO STOP-UP, CLOSE, RETAIN AND AUTHORIZE THE SALE OF
PARTS OF A PUBLIC WALKWAY DESIGNATED AS
ALL OF BLOCK 43, PLAN 62M-575**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 27 of the 12th Report of the Transport and Environment Committee on 1993 September 28, authorized the City to stop-up, close, retain and sell parts of a public walkway, being all of Block 43, on Plan 62M-575, and more particularly described as Parts 1 and 2, on Plan 62R-12594;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS Notice of the City's intention to pass this By-Law has been published as required by Section 301 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the portion of highway described as;

All of Parcel Public Walkway -1, Section 62M-575

Those parts of Block 43, Plan 62M-575, in the geographic township of Barton, designated as Parts 1 and 2, on Plan 62R-12594.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Being All of the Parcel

Are hereby stopped and closed.

2. That the northerly half of Part 1, on Plan 62R-12594, be offered to the owner of #71 Janet Court for the sum of \$1.00.
3. In the event that the owner of #71 Janet Court does not accept the offer within thirty (30) days of the passing of this By-Law, that the soil and freehold in that portion of the said closed walkway described as Part 1, on Plan 62R-12594, be sold to Bruce Redford Roussey or his successor in title for the sum of \$1.00 in accordance with the provisions of the agreement dated August 30, 1993, subject to the highway closing and sale purchases in the Registry Act and the Municipal Act.

(cont'd pg 2)

Page 2

By-law 93-

To stop-up, close, retain and authorize the sale of parts of a public walkway designated as all of Block 43, Plan 62M-575

4. That the soil and freehold for the remainder of the closed portion of said Block 43, being Part 2 on Plan 62R-12594, be retained by the Corporation of the City of Hamilton.
5. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this

day of

A.D. 1993

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

**THE SALE OF PORTIONS OF AN ALLEY
CLOSED BY JUDGE'S ORDER NO. 159226 (93)
PARTS 1, 2, 4, 5, AND 6, ON PLAN 62R-11618**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 24, 25 and 26, of the 12th Report of the Transport and Environment Committee on 1993 September 28, authorized the City to sell parts of an alley, being more particularly described as Parts 1, 2, 4, 5 and 6, Plan 62R-11618;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS Notice of the City's intention to pass this By-Law has been published as required by Section 301 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the portion of alley described as;

Those parts of an alley lying south of Lots 221, 222 and 223, in the block bounded by Brunswick, Barton, Osborne and Melvin, Registered Plan No. 593, designated as Parts 1, 2, 4, 5 and 6, on Plan 62R-11618.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Were closed by Judge's Order No. 159226 (93)

2. That the soil and freehold of the said closed portion of an alley, designated as Part 1, on Plan 62R-11618, be sold to Grant Oikawa and Carol Anne Oikawa or their successors in title for the sum of \$1.00 in accordance with the provisions of the agreement dated August 17, 1993, subject to the highway closing and sale purchases in the Registry Act and the Municipal Act.
3. That the soil and freehold of the said closed portions of an alley, designated as being Part 5, on Plan 62R-11618, be sold to Anne Callen Geeling or her successor in title for the sum of \$1.00 in accordance with the agreement dated August 17, 1993, subject to the highway closures and sale purchases in the Registry Act and the Municipal Act.
4. That the soil and freehold of the said closed portions of an alley, designated as Parts 2, 4 and 6, on Plan 62R-11618, be sold to Michelle Marie Alderson and Sherry Dawn Alderson Williston or their successor in title for the sum of \$1.00 in accordance with the provisions of the agreement dated August 13, 1993, subject to the highway closing and sale purchases in the Registry Act and the Municipal Act.

Page 2

By-law 93-

The sale of portions of an alley closed by Judge's Order No. 159226 (93), Parts 1, 2, 4, 5, and 6, on Plan 62R-11618

5. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this

day of

A.D. 1993

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

TO INCORPORATE PARTS 3 & 4, PLAN 62R-11315
INTO LELAND STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Leland Street by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Leland Street.

Being part of Lot 21, Registrar's Compiled Plan No. 1478 and part of Lot 64, Registrar's Compiled Plan No. 1480, designated as Parts 4 & 3, on Plan 62R-11315.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this

day of

A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

**TO INCORPORATE PART 7, PLAN 62R-12388
INTO UPPER PARADISE ROAD**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Upper Paradise Road by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Upper Paradise Road.

Part of Lot 1, Concession 1, in the geographic township of Glanford, designated as Part 7, on Plan 62R-12388.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this

day of

A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

**TO INCORPORATE PART 8, PLAN 62R-12388
INTO UPPER PARADISE ROAD**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Upper Paradise Road by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Upper Paradise Road.

Part of Lot 1, Concession 1, in the geographic township of Glanford, designated as Part 8, on Plan 62R-12388.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this

day of

A.D. 1993.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 93-

**TO INCORPORATE PARTS 2, 4 & 6, PLAN 62R-12372
INTO DUNCAIRN CRESCENT**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Duncairn Crescent by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Duncairn Crescent.

Part of Lot 18, Concession 7, in the geographic township of Barton, designated as Parts 2, 4 & 6, on Plan 62R-12372.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1993.

City Clerk

Mayor

**TO INCORPORATE BLOCK 17, PLAN 62M-734
INTO LYNNETTE DRIVE**

12

BY-LAW NO. 93 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Fairington	Southbound	Delawana
Ellingwood	Southbound	Kentley
Dubarry	Eastbound	Lorraine".

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"Macassa	South	Upper Sherman to 106 feet east	Anytime
East 18th	West	Concession to 41 feet south	Anytime
East 24th	West	Fennell to 79 feet south	Anytime
Bay	West	Aberdeen to 82 feet south	Anytime".

and by deleting therefrom the following items, namely:-

"Glendale	West	Primrose to 45 feet south	Anytime
Glendale	East	Primrose to 63 feet south	Anytime".

3. **Schedule 15 (Designated Traffic Lanes)** is hereby amended by adding thereto the following item, namely:-

"Mall	from 100 m south of Mohawk to 265m south of Mohawk	Centre Lane	Anytime	Northerly to westerly and southerly to easterly".
-------	--	-------------	---------	---

4. **Schedule 31 (School Bus Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Acadia	West	116 feet	225 feet south of the south curb line of Butler	7:00 a.m. - 6:00 p.m. Monday to Saturday".
---------	------	----------	---	--

5. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Morgan North 30 feet 28 feet west of Caroga 8:00 a.m. - 10:00 p.m.".

PASSED this day of A.D. 1993.

CITY CLERK

MAYOR

BY-LAW NO. 93 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 34 (Sticker Permit Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Hunter	North	78 feet east of James to a point 46 feet easterly therefrom	Anytime
East 18th	West	81 feet south of Concession to Mountville	Anytime
Cambridge	South	from a point 144 feet west of Robins to a point 23 feet westerly therefrom	Anytime
Wood	South	from a point 133 feet east of Ferguson to a point 24 feet easterly therefrom	Anytime
Holmes	South	from a point 156 feet west of Emerson to a point 24 feet westerly therefrom	Anytime".

and by deleting therefrom the following items, namely:-

"East 18th	West	Concession to Mountville	Anytime
Wood	South	commencing at a point 133 feet east of Ferguson to a point 48 feet easterly therefrom	Anytime
Picton	North	commencing at a point 204 feet west of MacNab to a point 23 feet westerly therefrom	Anytime
Holmes	South	commencing at a point 115 feet west of Emerson to a point 29 feet westerly therefrom	Anytime".

2. **Schedule 26 (No Parking Areas)** is hereby amended by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Royal	South	Bowman to Wilmont
McElroy	North	West 2nd to West 3rd".

3. **Schedule 25 (Parking Time Limits)** is hereby amended by adding to **Section 5 (One Hour Limit)** the following item, namely:-

"East 18th	West	from a point 41 feet south of Concession to a point 40 feet southerly therefrom	Anytime".
------------	------	---	-----------

4. **Schedule 25B (Parking Time Limits)** is hereby amended by adding to **Section 4 (One Hour Limit)** the following item, namely:-

"Keith	Both	Douglas to Cheever".
--------	------	----------------------

5. **Schedule 23 (H.S.R. Bus Stops)** is hereby amended by adding to the OUTBOUND COLUMN the following item, namely:-

"Garth (W/S) 43 feet north of the centre line of Gisele".

and by adding to the INBOUND COLUMN the following item, namely:-

"Garth (E/S) 3 feet south of the south curb line of Gisele (MB)".

PASSED this

day of

A.D. 1993.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

By-law No. 76-19

As Amended by By-law No. 86-211

Respecting:

**THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA
GENERALLY COVERING BOTH SIDES OF KING STREET EAST
BETWEEN WELLINGTON STREET AND MARY STREET**

WHEREAS By-law No. 76-19, passed on the 27th day of January 1976, designated and described the improvement area referred to therein as "The area comprised on both sides of King Street East, between Wellington Street and Mary Street";

AND WHEREAS By-law No. 86-211, passed on the 25th day of June 1986, added 16 Jarvis Street to the improvement area;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 5 of the 5th Report of the Planning and Development Committee at its meeting held on the 9th day of March 1993, directed that the International Village Business Improvement Area boundaries be expanded in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS the notice of intent to expand the existing boundaries of the Business Improvement Area has been circularized to the Business Improvement Area membership and the proposed expansion area.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 76-19, as amended, is further amended by expanding the boundaries, as shown on a plan hereto annexed as Schedule "A" and as described in Schedule "B" hereto annexed, each forming part of this by-law, to include the following:

1. Both sides of King William Street from Mary to Wellington Streets.
2. The east side of Mary Street from King to King William Streets.
3. Both sides of Ferguson Avenue from King to King William Streets.
4. The west side of Wellington Street from King William to Main Streets.
5. Spring Street from King and Main Streets.
6. Walnut Street from King to King William Streets.

2. In all other respects, By-law No. 76-19, as amended, is hereby confirmed, unchanged.

3. This by-law comes into effect on the 1st day of January, 1994.

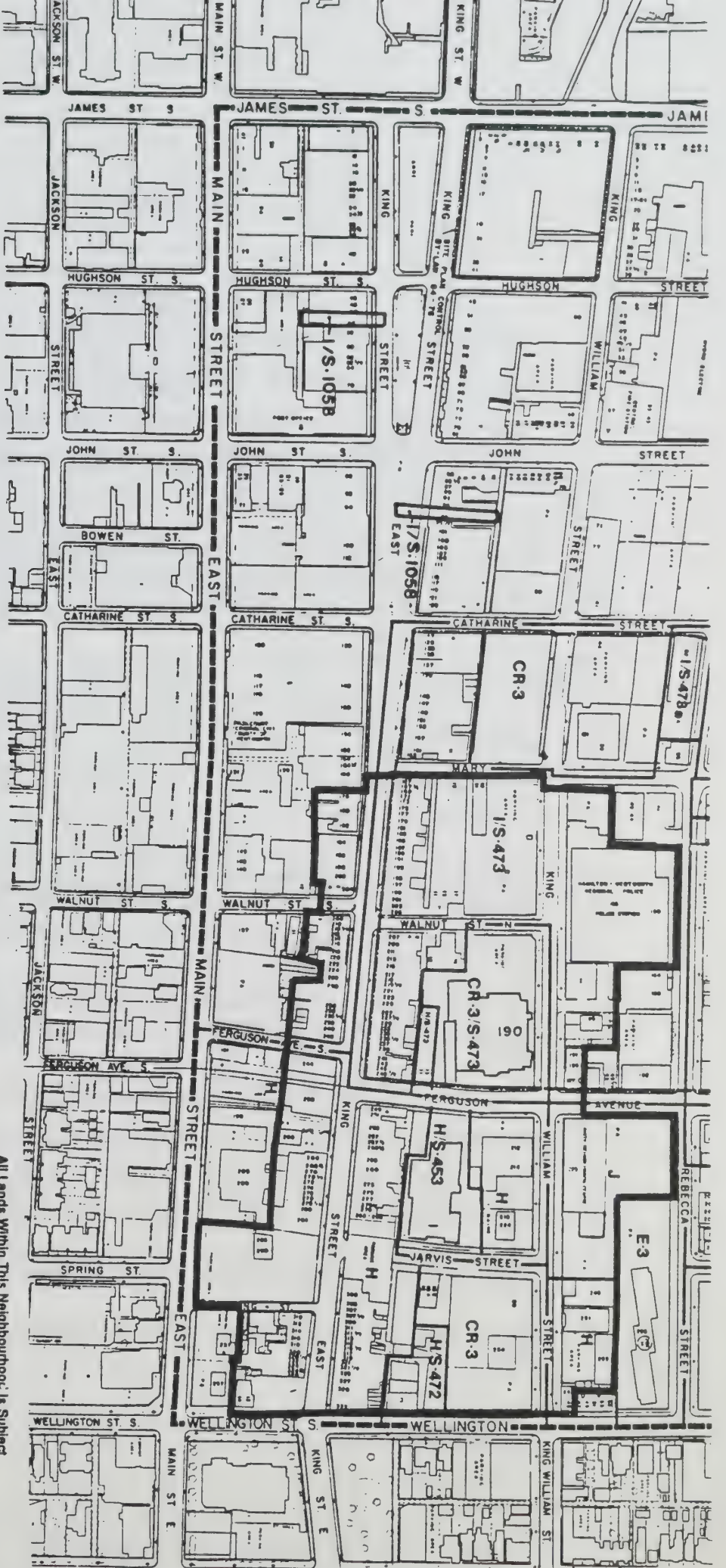
PASSED this day of

A.D. 1993

CITY CLERK

MAYOR

(1993) 5 R.P.D.C. 5, March 9



SCHEDULE "A"

To By-law No. 93.

All Lands Within This Neighbourhood Is Subject To Site Plan Control By-law No. 90-285.

CITY OF HAMILTON

BEASLEY ZONING

This is not a Legal Document For Zoning Verification Please Contact City Building Department.

107	106	68
21	10	95
41	31	125

Neighbourhood Boundary	Neighbourhood Boundary	Neighbourhood Boundary
Zoning Boundary	Zoning Boundary	Zoning Boundary
Prepared for The City of Hamilton by the Planning and Development Department at The Regional Municipality of Hamilton-Wentworth	6/703	10



SCHEDULE "B"

To By-law No. 93-

LAND DESCRIPTION

International Village
Hamilton

In the City of Hamilton, Regional Municipality of Hamilton-Wentworth, described as follows;

Note #1 - Premising that any bearing references that follow are referred to the Ontario Co-ordinate System, Zone 10, Central Meridian of 79 30' West Longitude.

Note #2 - References made to deed or street limits are references to lines or boundaries as they currently exist on November 1993.

Commencing at the north-east corner of Mary Street and King Street East, being also the south-west angle of the block bounded by Mary Street, King William Street, Walnut Street and King Street East;

Thence northerly along the westerly limit of the last mentioned block to the north-westerly angle thereof;

Thence north-easterly 20.17 metres more or less, to the north-east corner of King William Street and Mary Street being also the south-west angle of the block bounded by Mary Street, Rebecca Street, Ferguson Avenue and King William Street;

Thence northerly along the easterly limit of the last mentioned block a distance of 21.336 metres to a point;

Thence south 70 degrees 06 minutes 30 seconds east, a distance of 15.37 metres more or less to a point in the westerly limit of the lands of the Hamilton-Wentworth Regional Police;

Thence north 49 degrees 52 minutes 40 seconds east, a distance of 11.835 metres to a point;

Thence south 71 degrees 29 minutes 30 seconds east, a distance of 10.372 metres to a point;

Thence north 18 degrees 24 minutes east, a distance of 39.014 metres more or less to a point on the southerly limit of Rebecca Street, distant 31.852 metres measured south 71 degrees 29 minutes 30 seconds east, from the north-west angle of the block, last mentioned;

Thence south 71 degrees 29 minutes 30 seconds east, along the southerly limit of Rebecca Street, a distance of 80.830 metres to a point;

Thence south 18 degrees 28 minutes 30 seconds west, a distance of 35.204 metres to a point;

Page 2

International Village - Hamilton

Thence south 71 degrees 08 minutes 35 minutes east, 24.85 metres to a point;

Thence south 70 degrees 28 minutes east, 7.775 metres to a point;

Thence north 19 degrees 32 minutes east, 0.79 metres to a point;

Thence easterly along the southerly limits of Lots 48 and 49, Registered Plan No. 36, in the E. & J.F. Moore Survey, a distance of 32.614 metres more or less to a point; said point being also the north-east angle of Lot 32, Registered Plan No. 36 and described as secondly in Instrument #38697 (new);

Thence southerly along said easterly limit of Lot 32, Registered Plan No. 36, to its' intersection with the northerly limit of Instrument #132997 C.D. (#197 King William) produced westerly;

Thence to and along the northerly limit of Instrument #132997 C.D. and its' production westerly, a distance of 16.68 metres more or less to a point in the westerly limit of Ferguson Avenue;

Thence easterly and at right angles to the westerly limit of Ferguson Avenue, a distance of 20.17 meters more or less, to a point on the easterly limit of Ferguson Avenue;

Thence northerly along the last mentioned limit of Ferguson Avenue to its' intersection with the southerly limit of King William Street;

Thence easterly along the southerly limit of Rebecca Street across Lots 51, 52 and 53, Registered Plan No. 36, in the block bounded by Ferguson Avenue, Rebecca Street, Wellington Street and King William Street;

Thence southerly along the easterly limit of Lot 53 to a point, being the south-easterly angle of Lot 53, as described in Instrument #370627 A.B.;

Thence easterly along the northerly limits of Lots 27, 26, 25 and 24, Registered Plan No. 36 to a point;

Thence southerly along the westerly limit of Lot 23, 3.048 metres to a point;

Thence easterly and parallel to the northerly limit of Lot 23, 17.73 metres more or less, to a point in the easterly limit of Lot 23;

Thence northerly along the easterly limit of Lot 23, 2.819 metres more or less, to a point;

Thence easterly along the northerly limit of Plan 62R-10663, 23.009 metres to a bend, and another 10.369 metres more or less to a point, being the north-easterly limit of Part 1, on Plan 62R-10663;

Page 3

International Village - Hamilton

Thence southerly along the easterly limit of Part 1, on Plan 62R-10663 to a point in the northerly limit of Instrument #346513 A.B. , a distance of 25.936 metres to a point;

Thence easterly and parallel to the northerly limit of King William Street to a point in the westerly limit of Wellington Street, a distance of 17.703 metres more or less;

Thence southerly along the westerly limit of Wellington Street, 9.196 metres more or less to a point of intersection marking the north-west corner of King William Street and Wellington Street North;

Thence southerly across King William Street 20.17 metres more or less to a point of intersection marking the south-west angle of King William Street and Wellington Street North;

Thence southerly along the westerly limit of Wellington Street, across King Street East to a point on the westerly limit of Wellington Street, distant 28.246 metres measured northerly on a course of north 18 degrees 25 minutes 10 seconds east, from the south-east angle of Lot 1, Registered Plan No. 357, being also the northerly limit of Main Street East;

Thence north 68 degrees 52 minutes 30 seconds west, 16.00 metres to a point;

Thence north 69 degrees 02 minutes 10 seconds west, 12.04 metres to a point;

Thence north 69 degrees 30 minutes 30 seconds west, 3.26 metres to a point marking the north-westerly angle of Instrument #238371 C.D.;

Thence north 68 degrees 57 minutes 20 seconds west, along the northerly limit of Instrument 268293 A.B., a distance of 14.90 metres to a point;

Thence north 21 degrees 59 minutes 20 seconds east, 6.88 metres to a point;

Thence north 72 degrees 05 minutes 40 seconds west, 1.34 metres to a point;

Thence north 68 degrees 20 minutes 40 seconds west, 6.31 metres to a point;

Thence north 64 degrees 43 minutes 10 seconds west, 1.64 metres to a point;

Thence north 71 degrees 04 minutes 20 seconds west, 9.68 metres to a point in the easterly limit of Spring Street;

Thence south 19 degrees 12 minutes 30 seconds west, along the easterly limit of Spring Street (Martin's alley), 34.55 metres more or less to its intersection with the northerly limit of Main Street East;

Page 4
International Village - Hamilton

Thence north 68 degrees 51 minutes 47 seconds west, across Spring Street and along the northerly limit of Main Street as confirmed by Plan BA-783 to a point marking the south-east angle of Lot 11, Registrar's Compiled Plan No. 1399, in all a distance of 77.48 metres more or less, to a point;

Thence northerly along the easterly limit of Lot 11, a distance of 40.056 metres more or less, to a point;

Thence westerly along the northerly limit of Lot 11, a distance of 41.77 metres more or less, to a point;

Thence southerly along the westerly limit of Lot 11, a distance of 13.41 metres more or less, to a point;

Thence westerly along a second northerly limit of Lot 11, a distance of 8.10 metres more or less, to a point;

Thence northerly along the easterly limit of Lot 12, as described in Instrument #441024 C.D., a distance of 26.52 metres more or less, to the north-easterly angle of Lot 12;

Thence westerly along the northerly limit of Lot 12 and the easterly limit of Lot 13, Registrar's Compiled Plan No. 1399, a distance of 15.39 metres more or less, to a point;

Thence southerly 13.10 metres and westerly 15.84 metres more or less, along a westerly and northerly limit of Lot 13, Registrar's Compiled Plan No. 1399 to its' intersection with the easterly limit of a CNR right-of-way;

Thence westerly to and along the production easterly of the northerly limit of Instrument #39145 C.D., across Lots 13 and 14, Registrar's Compiled Plan No. 1391, to a point in the easterly limit of Lot 12 (commonly known as Ferguson Avenue);

Thence northerly along the easterly limit of Ferguson Avenue to its' intersection with the production easterly of the northerly limit of Lot 15, Registrar's Compiled Plan No. 1391;

Thence westerly along the production easterly of the last mentioned limit, 61.94 metres more or less, to the north-westerly angle of Lot 15, Registrar's Compiled Plan No. 1391;

Thence northerly along part of the easterly limit of Lot 16 and all of Lot 17, a distance of 9.45 metres more or less, to the north-easterly angle of Lot 17, Registrar's Compiled Plan No. 1391;

Thence westerly along the northerly limit of Lot 17, a distance of 9.45 metres more or less, to the south-east angle of Lot 18, Registrar's Compiled Plan No. 1391;

Page 5
International Village - Hamilton

Thence northerly along the easterly limit of Lot 18, a distance of 3.048 metres more or less, to the north-easterly angle of said Lot;

Thence westerly along the northerly limit of Lot 18 to its' intersection with the easterly limit of Walnut Street, a distance of 21.07 metres more or less, to a point;

Thence northerly along the easterly limit of Walnut Street to its intersection with the southerly limit of King Street East, a distance of 29.82 metres more or less;

Thence westerly across Walnut Street, a distance of 12.253 metres to the south-westerly angle of King Street and Walnut Street;

Thence southerly to and along the westerly limit of Walnut Street to the northerly limit of a 3.048 metres alley, a distance of 26.11 metres more or less;

Thence westerly along the last mentioned alley limit, a distance of 40.002 metres more or less, to a point on the easterly limit of Lot 2, Registered Plan No. 73;

Thence southerly along the easterly limit of Lot 2, being also part of the easterly limit of Instrument #412419 C.D., to a point distant 2.807 metres measured northerly along the said easterly limit from the south-east angle of Lot 2, aforementioned;

Thence westerly to and along the irregular southerly limits of Instrument #412419 C.D. and Instrument #306887 C.D., being 180 and 178 King Street East (respectively), in all, a distance of 50.54 metres more or less, to the south-west angle of Instrument #306887 C.D.;

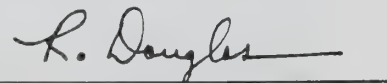
Thence northerly along the last mentioned Instrument, 39.77 metres more or less to its' intersection with the southerly limit of King Street East;

Thence northerly across King Street East to the point of commencement.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

November 29, 1993



Robert Douglas
Ontario Land Surveyor

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

PUBLIC PARKING LOTS

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 3 of the 17th Report of the Planning and Development Committee at its meeting held on the 9th day of November 1993, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law by introducing new regulations for public parking lots respecting front yard setback and landscaping requirements, as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "G-3" (Public Parking Lots) District requirements contained in Section 13C of Zoning By-law No. 6593 are amended as follows:

- (a) Section 13C (1) (iii) of the said by-law is amended by adding the words "notwithstanding clauses 2. (2) J. (xb) and 2. (2) J. (xxvi)," at the beginning of the said clause.
- (b) Section 13C (3) of the said by-law is deleted in its entirety and replaced as follows:

AREA REQUIREMENTS

- (3) The following yards shall be provided within the district and maintained as appurtenant to every building in a "G-3" District:
 - (i) Where a front yard is required for any lot on the same side of the street between two intersecting streets, a front yard of a depth at least as great as that required for any such lot, but in no case of a depth of less than 3.0 metres (9.84').
- (c) Sections 13C (4) and (5) of the said by-law are deleted in their entirety and replaced with a new Section 13C (4), as follows:

LANDSCAPING, PAVING, AND LIGHTING REQUIREMENTS

- (4) (i) A landscaped area having a minimum average width of 2.0 metres (6.56') but not less than 1.0 metre (3.28') in width, shall be provided and maintained along the entire street line of the lot, except for the area used for access driveways.

- (ii) An area landscaped with a planting strip of not less than 1.5 metres (4.92') in width shall be provided and maintained along and within every side lot line and rear lot line that abuts a residential district or use.
- (iii) A visual barrier not less than 1.2 metres (3.94') and not more than 2.0 metres (6.56') in height shall be provided and maintained along every side lot line and rear lot line of a public parking lot which adjoins a residential district or use, except that no visual barrier shall be situated less than 3.0 metres (9.84') in distance from a front lot line.
- (iv) All open areas, except areas required to be landscaped, shall be paved with asphalt or concrete, and so graded or drained as to ensure that surface water will not escape to neighbouring lands.
- (v) Every lighting facility shall be so designed, installed and maintained as to ensure that the light is deflected away from all lands designated for residential uses, and any lighting of signs shall similarly be so deflected.

2. Section 18A PARKING AND LOADING REQUIREMENTS of By-law No. 6593, is amended by adding a new Section 18A. (40), as follows:

18A. (40) Every public parking lot shall be subject to the provisions of Section 13C.

3. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1993

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Adopt:

Official Plan Amendment No. 122

Respecting:

**LANDS LOCATED NORTH OF KING STREET EAST
AND EAST OF WENTWORTH STREET NORTH
MUNICIPALLY KNOWN AS NO. 30 WENTWORTH STREET NORTH
WITHIN THE GIBSON NEIGHBOURHOOD**

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 122 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this day of

A.D. 1993

CITY CLERK

MAYOR

Amendment No. 122

to the

City of Hamilton Official Plan

The following text, together with Schedules "A" and "B-1", attached hereto, constitutes Official Plan Amendment No. 122.

Purpose:

This Amendment will redesignate the subject lands from "Residential" and "Commercial" to "Major Institutional" to permit the development of a secondary school with an ancillary day nursery. In addition, Special Policy Area 15 will be deleted as it would not be relevant in the context of the new land use.

Location:

The lands affected by this Amendment are located north of King Street East and east of Wentworth Street North, known municipally as 30 Wentworth Street North within the Gibson Neighbourhood.

Basis:

The basis for permitting the development of a secondary school with an ancillary day nursery is as follows:

- 1) The proposed secondary school will replace two existing schools and provide a facility that is centrally located to better service the community;
- 2) The development proposal is an effective re-use of a vacant parcel of land in the built-up urban area of Hamilton;
- 3) The proposed secondary school is compatible with the existing and proposed development in the area.

Actual Changes:

- 1) Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the property located at 30 Wentworth Street North from "Residential" and "Commercial" to "Major Institutional", as shown on the attached Schedule "A" of this Amendment;
- 2) Schedule "B-1" - Other Special Policy Areas be revised by deleting Special Policy Area 15 and deleting the text from the legend that states "15 refer to A.2.9.3.13", as shown on the attached Schedule "B-1" of this Amendment; and,
- 3) Subsection A.2.9.3 - Other Policy Areas be revised by deleting Policy A.2.9.3.13.

Implementation:

A Zoning By-law amendment will give effect to the intended use on the subject lands.



This is Schedule "1" to By-law No. 93- , passed on the day of , 1993.

**The Corporation of the
City of Hamilton**

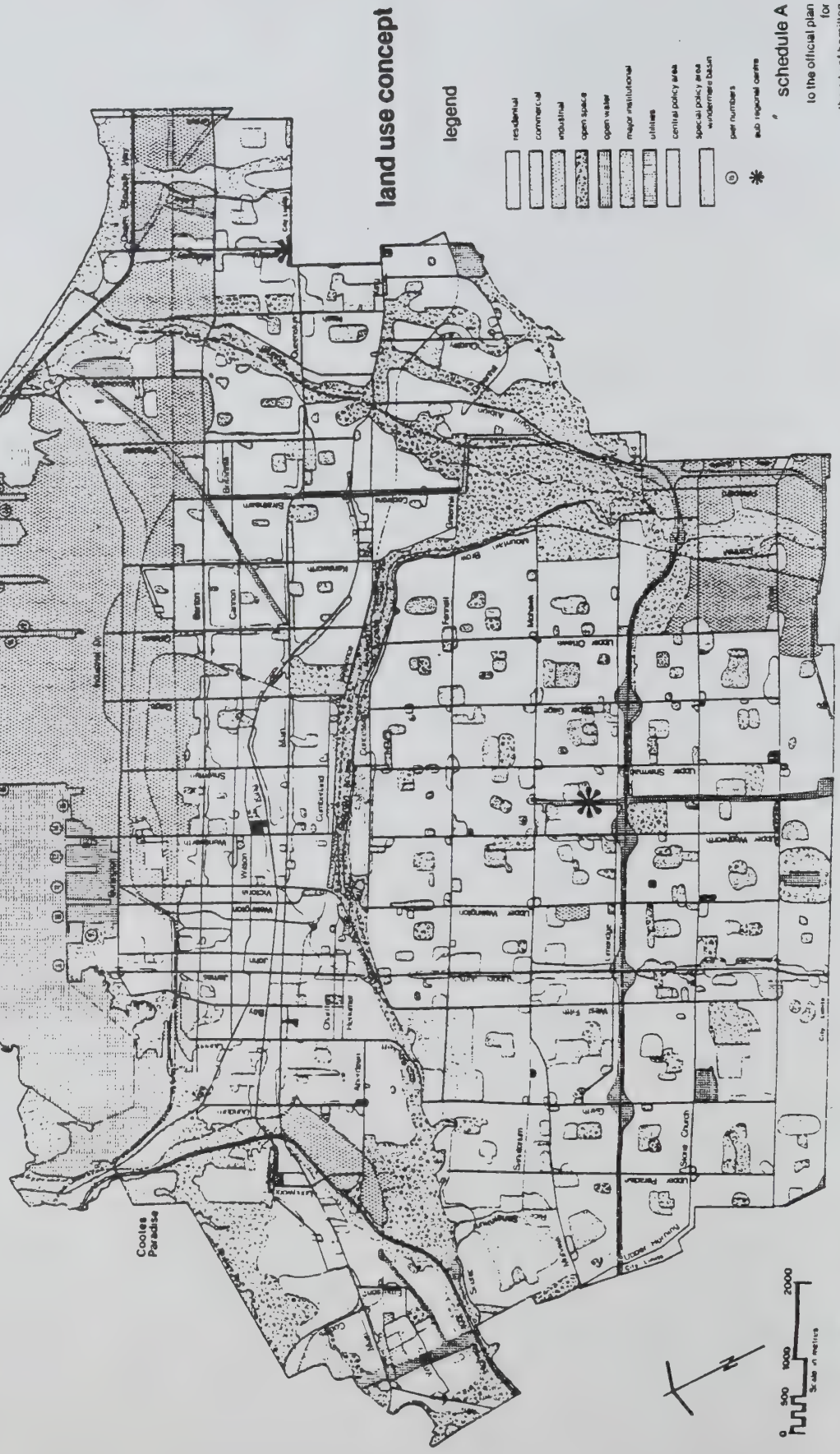
City Clerk

Mayor

schedule A
amendment no. 122
to the
official plan
for the
city of hamilton

legend			
areas to be changed from			
	residential to major institutional	drawn by	reference file no.
	commercial to major institutional	E. C.	OPA 122
DEC 1993			

Lake Ontario
 DEFERRED NO D-6
 UNDER SECTION 14(3) OF
 THE PLANNING ACT



land use concept

- legend**
- residential
 - commercial
 - industrial
 - open space
 - open water
 - major institutional
 - utilities
 - central policy area
 - special policy area
 - windermere basin
 - per numbers
 - sub regional centre

schedule A
 to the official plan
 for
 the city of hamilton
 February 17, 1993

schedule B-1
amendment no. 122
to the
official plan
for the
city of hamilton

legend

Special Policy Area 15
to be Deleted

date	drawn by	reference file no
Dec 1993	E C	OPA 122

**other special
policy areas**

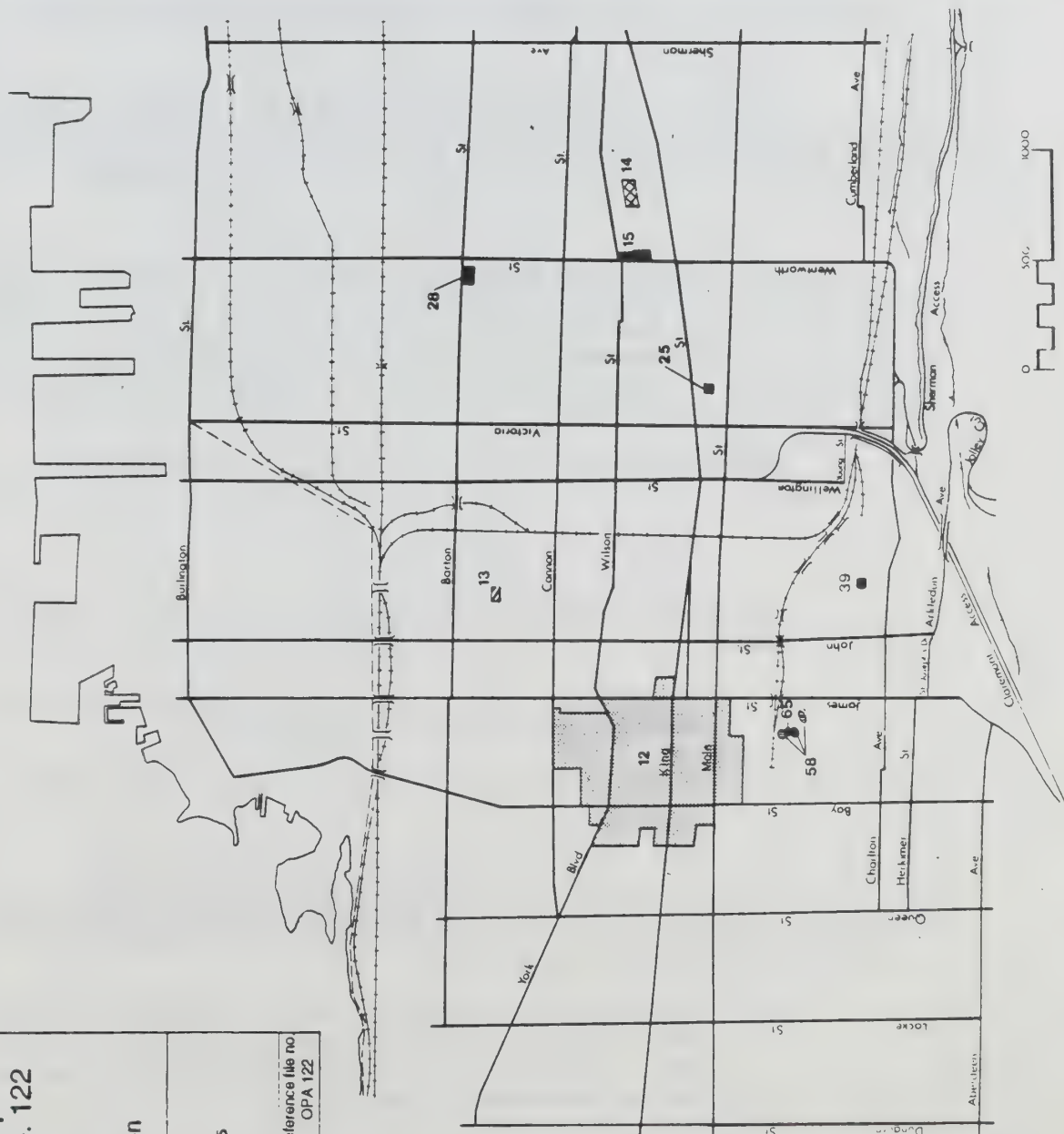
legend

- | | | | |
|--|----------------------------|--|----------------------------|
| | refer to policy
A 29310 | | refer to policy
A 29320 |
| | refer to policy
A 29311 | | refer to policy
A 29323 |
| | refer to policy
A 29312 | | refer to policy
A 29334 |
| | refer to policy
A 29313 | | refer to policy
A 29353 |
| | refer to policy
A 29320 | | refer to policy
A 29360 |

schedule B-1

to the official plan
for
the city of hamilton

February, 1993



The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 30 WENTWORTH STREET NORTH

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 122, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-22 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "J" (Light and Limited Heavy Industry, etc.) District modified to "DE-3" (Multiple Dwellings) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "DE-3" (Multiple Dwellings) District provisions, as contained in Section 10C of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 10C(3)(i)(b) of By-law No. 6593, a minimum front yard depth of 6.0 m (20'-0") shall be provided and maintained, except a minimum front yard depth of 4.26 m (14'-0") shall be provided and maintained for the Chapel.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1324.

5. Sheet No. E-22 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1324.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

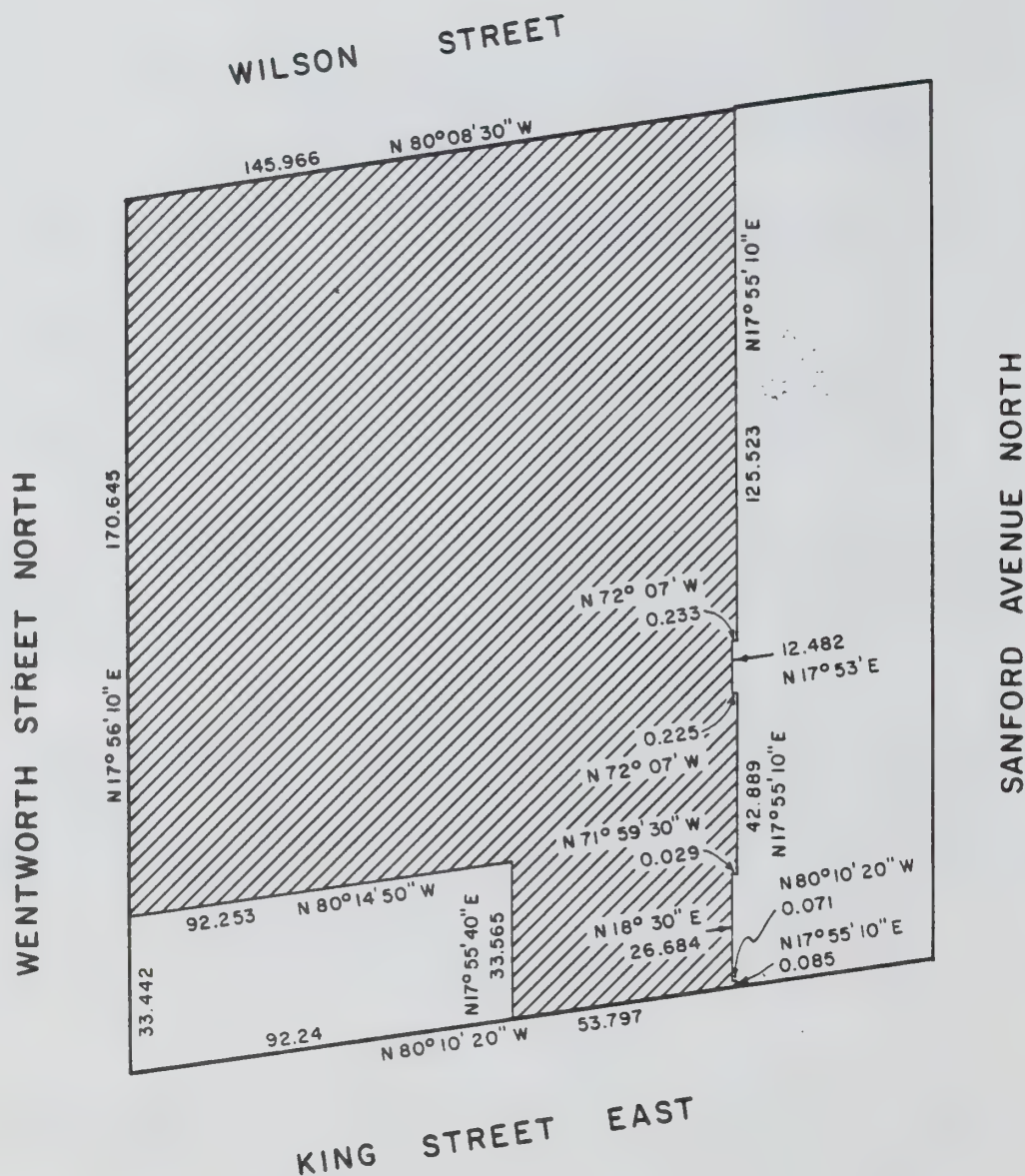
PASSED this day of

A.D. 1993

CITY CLERK

MAYOR

(1993) 19 R.P.D.C. , December 14
Hamilton-Wentworth Catholic Separate
School Board, Prospective Owner
ZAC-93-28



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 93-.....
 Passed the day of, 1993.

.....
 Clerk

.....
 Mayor

City of Hamilton

Schedule A

Map Forming Part of
 By-Law No. 93-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend

Change in zoning from:



"J" (Light and Limited Heavy Industry, etc.) District, modified to "DE-3" (Multiple Dwellings) District, modified.

North



Scale
 NOT TO SCALE

Date
 DECEMBER 1993

Reference File No.
 ZAC-93-28

Drawn By
 Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 93-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 625 RYMAL ROAD WEST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol referred to in section 1(b) shall be removed conditional upon the availability of all such municipal storm and sanitary sewers serving the subject lands as the City deems necessary.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1.(b) may at such time proceed in accordance with the "C" District provisions.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

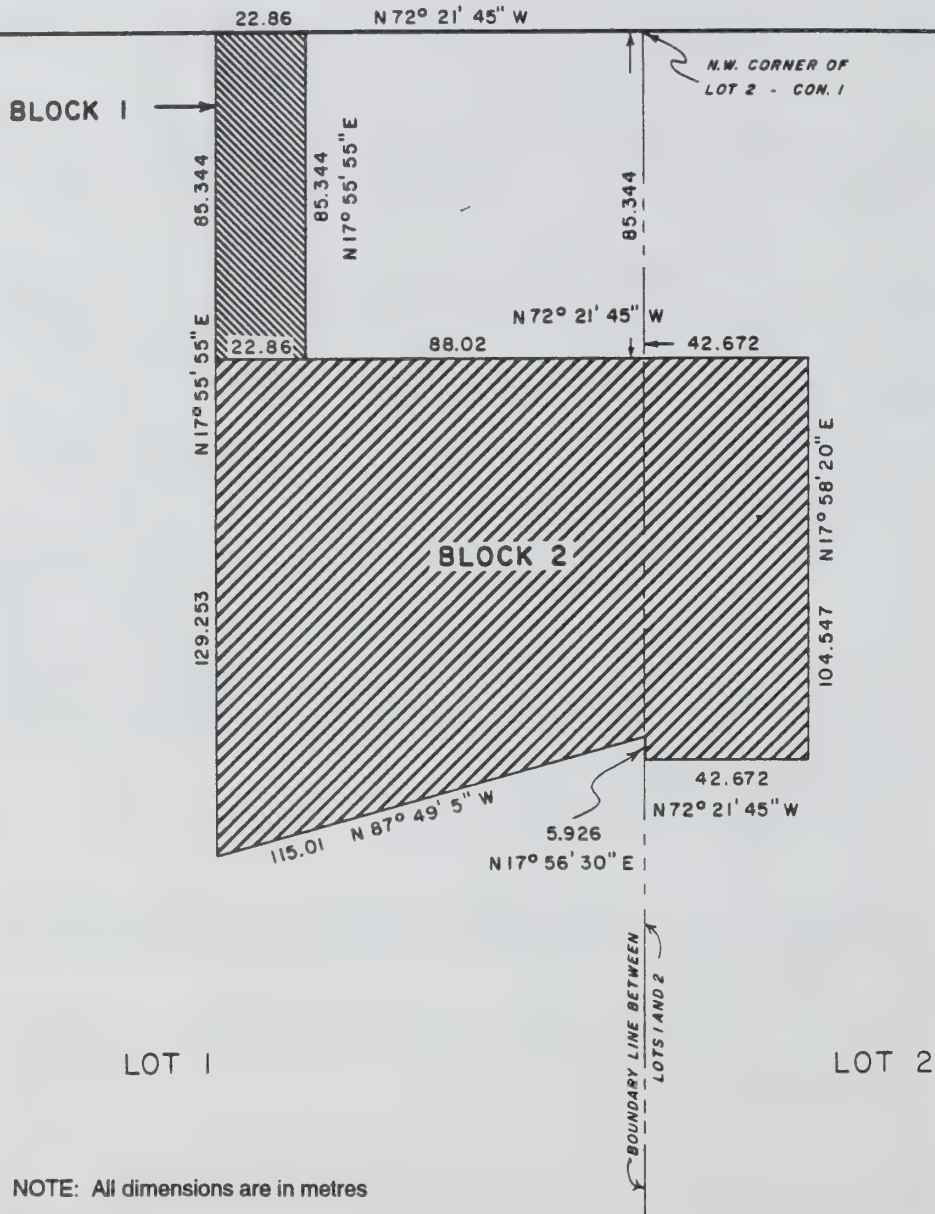
PASSED this day of

A.D. 1993

CITY CLERK

MAYOR

RYMAL ROAD WEST



This is Schedule "A" to By-Law No. 9 -
 Passed the day of, 199 .

Clerk

Mayor

City of Hamilton Schedule A

Map Forming Part of
By-Law No. 9 -

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Changes in zoning from "AA" (Agricultural) District to:

- BLOCK 1** [Hatched Box] "B" (Suburban Agricultural and Residential, etc.) District.
- BLOCK 2** [Hatched Box] "C" (Urban Protected Residential, etc.) District.

North



Scale
NOT TO SCALE

Date
NOVEMBER 1993

Reference File No.
ZA - 92 - 41

Drawn By
Z. K.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 94 -

To Authorize the Temporary Borrowing of Monies to Meet Current
Expenditures Pending Receipt of Current Revenues.

WHEREAS section 187(1) of the Municipal Act, R.S.O. 1990, as amended, provides as follows:

"A council may by by-law either before or after the passing of the by-law for imposing the rates for the current year authorize the head and treasurer to borrow from time to time by way of promissory note or banker's acceptance such sums as the council considers necessary to meet, until the taxes are collected and other revenues are received, the current expenditures of the corporation for the year, including the amounts required for sinking fund, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the corporation is required by law to provide";

AND WHEREAS Section 187 (2) of the said Act, as amended by the Municipal Statute Law Amendment Act, S.O. 1992, c. 15 provides as follows:

"The amount that may be borrowed at any one time for the purposes mentioned in subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year";

AND WHEREAS the Council of the Corporation of the City of Hamilton (hereinafter called the "Municipality") in adopting Item 4 of the 23rd Report of the Finance and Administration Committee on 14 December 1993 authorized the temporary borrowing of monies to meet current budget expenditures for the year 1994 pending receipt of current revenues;

NOW THEREFORE the Council of The Corporation of the City of Hamilton hereby enacts as follows:

1. (1) The Mayor and Treasurer are hereby authorized on behalf of the Corporation of the City of Hamilton to borrow from time to time by way of promissory note from the CANADIAN IMPERIAL BANK OF COMMERCE a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) to pay off temporary bank overdrafts for the current expenditures of the Corporation for the year 1994, and to give to the Bank on behalf of the Corporation a promissory note or notes, sealed with the Corporate Seal and signed by the Mayor and Treasurer, for the monies so borrowed, together with interest at such rate as may be agreed upon from time to time with the Bank.
- (2) The amount of monies that may be borrowed at any one time for the purposes of subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year.

2. (1) Until estimates of revenue of the Corporation for the 1994 year are adopted, borrowing shall be limited to the estimated revenues of the Corporation as set forth in the estimates adopted for the next preceding year.

(2) The total estimated revenues of the Corporation, including the amounts levied for Region and Education purposes, adopted for the year 1993 are Four Hundred and Eighty-Six Million, Three Hundred and Eight Thousand, Four Hundred and Thirty Dollars (\$486,308,430.00).
3. All sums borrowed pursuant to the authority of this by-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years, as and when such revenues are collected or received.
4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this by-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.
5. By-law 93-129 is repealed.
6. This by-law shall come into force and effect on the 1st day of January, 1994, and shall remain in force and effect until December 31, 1994.

PASSED this 14th day of December A.D. 1993

City Clerk

Mayor

(1993) R.F.A.C. , December

BY-LAW NO. 93 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 14TH DAY OF DECEMBER A.D., 1993.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 14th day of December A.D. 1993

CITY CLERK

MAYOR



1993 December 9

NOTICE OF MEETING

COMMITTEE OF THE WHOLE
1993 December 14
6:00 o'clock p.m.
Room 233

URBAN M

DEC 7 1993

GOVERNMENT DOCUMENTS

J. J. Schatz
City Clerk

A G E N D A

1. Early Retirement - Status Report
2. Method of Financing - Early Retirement Program
3. 1993 Current Budget - Status Report
4. 1994 Current Budget Update
5. Interest Rate - Tax Arrears

c.c.: J. Pavelka, C.A.O.
Management Team

**** A light dinner will be provided in Room 264 at 5:30 o'clock pm ****

1st 2

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 December 14

REPORT TO: J. Schatz, Secretary,
Committee of the Whole

FROM: Allan C. Ross
Treasurer

John Johnston
Commissioner of Human Resources

SUBJECT: Status and Financing of Early Retirement Plan

RECOMMENDATION:

- a) that the estimated cost of \$7.115 million for the City's Early Retirement Incentive Plan (E.R.P.) be financed in the following manner:
 - i) Reserve for Capital Projects - CH 00203 - \$4.034 million - this was the amount which had been previously reserved and not required for the Dofasco assessment appeal which was settled in 1992.
 - ii) Use of OMERS Type 3 surplus - \$1.409 million - through agreement with the Fire Fighters Association Local 288, one-half of the amount remaining on deposit with OMERS due to a surplus resulting from excess contributions to OMERS from "Type 3" supplementary will be used to fund the Fire Fighters early retirement incentive plan, and the other half to be used by the City at it's discretion.
 - iii) Reserve for Annualization - CH 00177 - \$152,000 - a surplus within a reserve earmarked specifically to assist in financing early retirement incentive plans.
 - iv) Reserve for Future Pension Liabilities - CH 00178 - \$742,000 - this reserve was established in 1991 from a return of excess OMERS contributions in Type 3 (Fire) supplementary plan, and is surplus to the City's needs at this time.
 - v) Reserve for Debt Charges - CH 00108 - \$778,000 (estimated) - to fund the balance of financing required for the incentive plan and financial consultants.

cont. page 2.....

- b) that a new reserve named "Reserve for Early Retirement Incentive Plan" be created specifically for the purpose of centralizing the financing of the costs of the early retirement incentive plan from the transfers of funds from other reserves, and other funding as noted in a) above.
- c) that the estimated cost of \$25,000 for early retirement financial planning seminars and consultations be charged to the Reserve for Early Retirement Incentive Plan.
- d) that any financial implications to the H.M.R.F. pension plan as a result of implementing the E.R.P.'s will be considered and reported to the appropriate committees in due course.

Allen C. Lars

[Signature]

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The status of the reserves from which funding is proposed is as follows:

<u>Name of reserve</u>	<u>Estimated Balance</u>	<u>Required for E.R.P.</u>	<u>Est. Balance after E.R.P.</u>
Capital Projects	\$6,861,945	\$4,034,585	\$2,827,360
Annualization	452,750	152,000	300,750
Future Pension Liability	742,000	742,000	nil
Debt Charges	4,836,156	777,415	4,058,741

Any necessary repayment or replenishment of reserves will be considered as a 1994 budget issue.

BACKGROUND:

The City's E.R.P. (not including Local 288 Fire)

The City's voluntary early retirement incentive plan was developed in conjunction with OMERS "Type 7" measures to assist employers in resolving social contract issues. The plan was approved by City Council September 21, 1993 and offered to 376 employees over the age of 50, resulting in 171 employees, or 45.5% of the total eligible, accepting the early retirement package and opting for retirement dates ranging from November 30, 1993 to December 31, 1994, with 61 retiring by the end of 1993 and the balance retiring at various dates in 1994. (All City departments and local boards participated fully, except HECFI)

cont. page 3.....

J. Schatz, Secretary
Committee of the Whole
1993, December 14, page 3

The cost of the incentive plan is approximately \$7.1 million, and funding is recommended from various reserves and other sources. In addition, payments to employees for their accumulated sick bank, if applicable, amount to approximately \$1.4 million and will be charged in the normal course of operations to the Reserve for Sick Bank, subject to subsidy or other recovery considerations.

With respect to accumulated vacation pay, the amount required for those retiring in 1993, approximately \$200,000, will be charged to departmental operations, subject to the availability of sufficient surplus on a corporate basis. This will be reviewed in January as part of an analysis of the 1993 year-end position. The 1994 accumulated vacation pay amount of approximately \$500,000 will be taken into consideration in the preparation of the 1994 Estimates.

Fire E.R.P.

To update you on the financing of the Fire Fighters early retirement plan authorized by City Council September 28, 1993 through approval of an agreement with Local 288, a total of 41 fire fighters eligible for early retirement accepted an early retirement incentive package with a total estimated cost of \$1.4 million which was financed by one-half of the Type 3 funds on deposit with OMERS. The accrued sick bank amounting to \$1.1 million was funded in the normal manner through the Reserve for Sick Bank. Accrued vacation pay amounting to some \$410,000 was charged to the Fire Department's operating accounts and will be absorbed within the overall surplus in their 1993 accounts.

Attachment

Attached as Exhibit "A" is a schedule showing early retirements by Department, together with the number of people retiring in each quarter to the end of 1994.

EARLY RETIREMENT STATISTICS - 1993 AND 1994

DEPARTMENT	NUMBER EMPLOYEES ACCEPTING EARLY RETIREMENT	NOV - DEC 1993	JAN - MAR 1994	APR - JUNE 1994	JUL - SEPT 1994	OCT - DEC 1994
------------	---	----------------------	----------------------	-----------------------	-----------------------	----------------------

CITY SUMMARY REPORT - BY DEPARTMENT

BUILDING	8	2	2	0	1	3
CAO-NP HOUSING	1	1	0	0	0	0
CITY CLERK'S	6	1	2	0	0	3
CULTURE & REC	14	5	2	2	0	5
FIRE	2	0	1	1	0	0
HECFI	1	1	0	0	0	0
INFO SYSTEMS	5	1	1	0	1	2
LAW	2	0	0	0	1	1
LIBRARY	22	1	2	3	1	15
PROPERTY	13	7	0	2	0	4
PW	81	39	14	10	1	17
TRAFFIC	10	2	1	0	0	7
TREASURY	6	0	2	3	0	1

TOTAL EXCLUDING LOCAL 288(FIRE)	171	60	27	21	5	58
---------------------------------	-----	----	----	----	---	----

LOCAL 288(FIRE) TOTAL	41	41	0	0	0	0
-----------------------	----	----	---	---	---	---

14-Dec-93

3.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 December 14

REPORT TO: J. J. Schatz, City Clerk
Committee of the Whole

FROM: Allan C. Ross
Treasurer

SUBJECT: Outstanding 1993 Budget Issues

RECOMMENDATION:

That the 1993 financing and base budget adjustments as attached as Appendix "A" be confirmed.

BACKGROUND:



There remains two important issues relative to 1993 that at this point require closure. The issues are Social Contract impact for 1993 and financing of the Expenditure Control Plan and snow overdrafts.

In terms of the 1993 Social Contract target, we have previously advised you that the amount of the reduction in Provincial Grants for 1993 is \$2,475,599. Initially in September there was a payroll deduction for 1.025 days for some of the Union and Non-union groups. At our September meeting, we advised you that it appeared that there was sufficient mitigation to stop the amount of non-paid days at approximately 1 day for all employee groups except Fire Department Local 288, HECFI and Parking Authority. Mitigation of the Social Contract within these groups was to be handled separately. It was specifically noted that the final amount of non-paid days for 1993 would be confirmed following a November review of the status of City accounts.

Finalization of the amount of non-paid days has been confirmed through a review of the 1993 departmental accounts in November. There remains the requirement for approximately \$50,000 out of the 1993 general surplus to complete the 1993 financing for the social contract. All relevant Union and Non-union groups (except those noted above) will require 1.025 non-paid days both in terms of money and non-paid time.

With respect to the Expenditure Control Plan and snow overdraft, there were two Council meetings in the summer (June 29 and July 27) which addressed the financing of the Expenditure Control Plan and the snow overdrafts. The outcome of these meetings resulted in an outstanding financing issue of \$88,420. The required \$88,420 has been funded through removing the remaining 1993 Contingency and a number of smaller adjustments.

1993 December 14

J.J. Schatz, City Clerk
Committee of the Whole - Page 2

BACKGROUND: - continued

In preparation for 1994, it is important to separate base budget adjustments and one-time financing for unanticipated events such as the snow and ice problems in 1993. Attached as Appendix "A" is a schedule that provides this information. The base adjustments are useful to allow for 1994 budget comparison. The complete financing of both components incorporating our review in November of the departmental accounts is reflected in this attachment.

Having completed the 1993 base adjustments we are now in the process of producing the published 1993 Budget book. It is important to complete this publication for purposes of continuity and to provide an official public document. It is anticipated that this should be completed prior to the year end.

Due to the uncertainty of Social Contract and Expenditure Control Plan initiatives by the Provincial Government earlier in the year, and the resultant adjustments required to operating budgets on a continuing basis, the reporting of the status of accounts has been different in 1993 in that a more issue-related approach has been adopted. Updates have been made periodically to the Committee of the Whole. We have tried to keep you abreast of anything which may have a significant impact on the financial health of the Corporation and will continue to do so. In 1994 we will again provide you with status reports by Standing Committee on a consistent and timely basis.

Att'd

1993 Funding Sources To Offset E.C.P., Provincial Budget, And City Shortfall For Snow And Ice

Original 1993 Approved Budget	Account #	A.F.F. Report Adjustment		Financing Only	
		1993 Expenditure Appropriation	1993 Revenue Appropriation	Revenue Non-Base	Expenditure Non-Base
Funding Sources For E.C.P. and Provincial Budget					
E.C.P. – Reduced Provincial Grant Funding	CH43004 – 02001				
Provincial Budget – Sales Tax Effects		245,460	(1,660,000)		
Interest – Investments	CH46001 – 25110				
Clerks – Current Year Lotteries – Bingo	CH45102 – 12004		400,000		
Clerks – Current Year General	CH45110 – 12004		18,000		
Recreation – Program / Event Reductions	CH59550 – 70005	(20,000)	48,000		
Recreation – Special Events Budget	CH59550 – 70005	(10,000)			
Recreation – Daily Operations	CH59550 – 70001	(7,670)			
Culture – Museum Operations and Public Programs	CH59550 – 71505	(10,610)			
Property – Ice "Slab" Temperature	CH56304 – 31136	(16,000)			
Property – Eliminate Use of Hot Water – Zamboni	CH56305 – 31136	(1,250)			
Property – Modify Security Services	CH56333 – 31102	(10,420)			
General Contingency	CH50008 – 24120	(563,510)			
Provision For Snow Control and Storm Damage	CH54142 – 23001	(800,000)			
Revised 1993 Budget after adjusting for E.C.P. and Provincial Budget		<u>165,633,070</u>	<u>165,633,070</u>		
Funding Sources For 1993 City Shortfall					
Revised estimated overdraft for Snow and Ice damage					(2,883,343)
Annualized Operating Costs – Twin Pad:					
Twin Pad Revenue	CH48490 – 24930				(426,600)
Twin Pad Food Revenue	CH48491 – 24930				(64,020)
Twin Pad Recreation Expense	CH59251 – 24930				433,000
Twin Pad Property Expense	CH59252 – 24930				349,000
Twin Pad Recreation Expense – Food Service	CH59253 – 24930				64,020
Annualized Operating Costs – Various Capital Programs	CH59250 – 24931				60210
Unallocated Grants	CH5A049 – 20016				70,500
Reserve For Snow Control and Storm Damage	CH00112				736,893
Reserve For Debt Charges	CH00108				829,521
Reserve For Capital Projects	CH00203				830,819
Total Financing Available					<u>2,883,343</u>

5

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1993 December 14

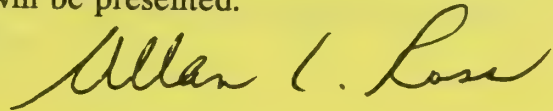
REPORT TO: Joe Schatz, Secretary
Committee of the Whole

FROM: Allan C. Ross
Treasurer

SUBJECT: Penalty and Interest Rates Charged on Outstanding
Taxes

RECOMMENDATION:

That consideration of penalty and interest rates to be charged on outstanding taxes be deferred until the February meeting of the Committee of the Whole when the 1994 Current Budget as recommended by Management Team will be presented.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Any adjustment in penalty and interest rates will affect estimated 1994 budget penalty and interest revenues.

BACKGROUND:

This topic was last considered by Committee and Council in February 1993 during consideration of the 1993 Current Budget. The report that was presented to the Committee of the Whole at that time is attached to this report.

If consideration is to be given to adjustment of the present penalty and interest rates, staff recommend that this matter be deferred until the February Committee of the Whole meeting when this topic can be considered in the context of all of the 1994 Current Budget issues. Sufficient detail regarding the 1994 Current Budget is not available at this time to allow staff to present all of the budgetary implications of any adjustment to these rates. Deferral until February would also allow staff time to undertake a survey of the rates currently charged in other similar municipalities in the Province and incorporate this information into a report on the matter to the Committee of the Whole.

Att'd

CITY OF HAMILTON

- INFORMATION -

DATE: 1993 January 28

REPORT TO: Committee of the Whole

FROM: Allan C. Ross
Treasurer

SUBJECT: Penalty and Interest Rates Charged on Outstanding Taxes

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Any decrease in the estimated 1993 revenues from penalty and interest results in a corresponding increase in the mill rate requirement.

BACKGROUND:

In September 1992, the Finance and Administration Committee recommended that the Treasurer's report on the current penalty and interest rate of 15% per annum charged on outstanding taxes be reviewed as part of the 1993 current budget deliberations.

The City has the option of charging penalty and interest under the following Legislation;

- a) The Municipal Act which allows a maximum rate of 15% per annum or,
- b) The Municipal Interest and Discount Rates Act which allows a rate of 1½% above the prime rate of the chartered bank that has the highest prime rate at the time the by law is passed by Council.

The current penalty and interest rate of 1½% per month or 15% per annum is imposed under the provisions of the Municipal Act. It should be noted, however, that penalty and interest are calculated on a simple interest rather than the compound interest basis used by most financial institutions.

The penalty and interest rate charged on tax arrears has remained relatively stable over the years and has been established at a level higher than available debt financing in order to encourage taxpayers to give priority to meeting their financial obligations to the City.

1993 January 28

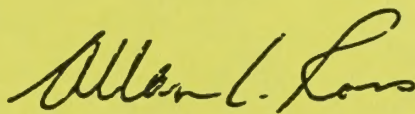
Committee of the Whole - Page 3

BACKGROUND: - continued

Summary

In setting an appropriate penalty and interest rate, it is necessary to consider the effect of such rates upon City tax collection efforts and penalty and interest revenues, as well as the effect of such rates upon taxpayers attempting to meet their property tax obligations to the City. Present rates are set at a relatively high rate and are consistent with the rates charged by most other municipalities surveyed.

To consider lowering this rate to the prime rate plus $1\frac{1}{2}$ % under the provision of the Municipal Discount and Interest Rates Act would mean that many tax payers would be able to obtain "financing" through tax arrears at a rate lower than the rate offered by financial institutions. This is not the intent of our tax arrears penalty rate, and would certainly not support efforts to collect outstanding arrears and keep property taxes current. Any lowering of penalty rates under the Municipal Act could also have a similar effect, depending on the extent of the rate reduction.



HAMILTON PUBLIC LIBRARY



3 2022 21334230 2